



Convention on the Elimination
of All Forms of Discrimination
against Women

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19 January 1996

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Fifteenth session

SUMMARY RECORD OF THE 288th MEETING

Held at Headquarters, New York,
on Tuesday, 16 January 1996, at 4 p.m.

Chairperson: Ms. CORTI

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IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS
OF DISCRIMINATION AGAINST WOMEN (continued)

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Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.



The meeting was called to order at 4.10 p.m.

IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (continued)

1. At the invitation of the Chairperson, Dr. Sadik (United Nations Population Fund (UNFPA)) took a place at the Committee table.
2. Dr. SADIK (Executive Director, United Nations Population Fund (UNFPA)) said that the elimination of discrimination against women had been the focus of several recent conferences. After reviewing those conferences, she said that both the Platform for Action adopted at the Fourth World Conference on Women and the Programme of Action adopted at the International Conference on Population and Development encompassed an agenda of concrete economic, social, health and related issues to meet the needs and to improve the lives of individual men and women. Underlying each action was an ethical framework based on human rights considerations. That emphasis on human rights - including women's rights to equality with men - provided a compelling justification for recommended actions.
3. The human rights approach to women's health implied that international and national policies must be based on recognition of women's rights, including the right to reproductive and sexual health and family planning, and demanded full commitment to the removal of economic, social and legal disadvantages that denied women their right to health. It demanded that men and women should participate as equals at all levels of policy-making and implementation, strove to eliminate poverty and social exclusion and called for education, training and public information to strengthen world-wide commitment to human rights.
4. Human rights, and specifically women's rights, were fundamental to the work of UNFPA. A commitment to gender equality and equity and the empowerment of women underlay new UNFPA policy guidelines for supporting action programmes and advocacy activities in the area of gender, population and development, and she hoped for collaboration with the Committee in those areas. UNFPA was collaborating with the United Nations Development Fund for Women (UNIFEM) on issues related to human rights and reproductive rights and with the World Health Organization (WHO) on adolescent reproductive health. It also planned to collaborate with the Centre for Reproductive Law and Policy to develop regional reports on legal barriers and policy structures affecting women's reproductive lives. UNFPA would work with other United Nations agencies to sensitize women's non-governmental organizations, as well as human rights advocates, in order that they could monitor the implementation of the Convention at country level. It would also work with Governments to ensure universal ratification of the Convention by the year 2000.
5. She looked forward to further discussion on how the international community could serve the needs of women better. Respect for women's rights as human rights would require stronger and more consistent support for the full integration of women in all stages of the development process, for equal opportunity for girls and women in education and job training, for services that met women's health needs throughout their lives and for the elimination of all forms of discrimination and violence against women.

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6. Ms. SHALEV said that the Cairo and Beijing Conferences had changed attitudes to women's health, particularly their sexual and reproductive health. It was important to build upon those changes and further elaborate the guarantees contained in the Convention.
7. Dr. SADIK (Executive Director, United Nations Population Fund) said that a way must be found to make certain practices socially unacceptable and bring about change. Local groups would have to break taboos and speak out on matters which deserved aggressive condemnation.
8. Ms. OUEDRAOGO said that UNFPA had improved its approach to women, particularly with regard to training and educational assistance to individuals, and Burkina Faso had benefited.
9. Ms. AOUIJ said that Tunisia had received a great deal of assistance from UNFPA, enabling it to have a modern demographic policy. Women must be made aware of the importance of health as a woman's right. A modern and developing interpretation of article 12 of the Convention was necessary: that article was particularly relevant to the current revolution in attitudes.
10. Ms. BUSTELO GARCIA DEL REAL welcomed the commitment of UNFPA to increase awareness of the Convention and work for its full ratification. She requested that UNFPA should disseminate the Committee's recommendations on all aspects of reproductive health, adding that a general recommendation on article 12 was necessary.
11. Ms. ABAKA said that the new UNFPA approach to family planning, involving men, was welcome, as was its emphasis on the empowerment of women. Article 12 must be implemented, and it should be possible to use local experts from the Committee to help implement policies in specific countries.
12. Ms. AYKOR said that women's health was related to their status. In Turkey, the Ministry of Health was working with UNFPA on a new project which recognized that reproductive rights were one of the key issues that would raise women's status.
13. Ms. ESTRADA CASTILLO said that women's health must be recognized as a human right. UNFPA should launch an information campaign targeting rural women to assure them that their health and reproductive rights were guaranteed. There was a need for positive action which took into account the fact that the desires of the people and the Government did not always coincide.
14. Ms. GARCIA-PRINCE said that the UNFPA representatives in Latin America had an important role as an advocate of women's issues, but that there were often difficulties in making contact with Governments and raising awareness of demographic policies. Moreover, the opposition of the religious establishment to family planning created further difficulties. The World Bank, an important potential source of support, seemed to have reached no consensus which would permit the development of programmes and allow UNFPA to carry out its plans.

15. Dr. SADIK said she would ask the various geographical divisions of UNFPA to contact members of the Committee.

The meeting rose at 4:50 p.m.



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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Fifteenth session

SUMMARY RECORD OF THE 289th MEETING

Held at Headquarters, New York,
on Wednesday, 17 January 1996, at 10.15 a.m.

Chairperson: Ms. GARCIA-PRINCE
(Vice-Chairperson)

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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE
CONVENTION (continued)

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Ms. García-Prince, Vice-Chairperson, took the Chair.

The meeting was called to order at 10.25 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Combined initial and second periodic reports of Paraguay (CEDAW/C/PAR/1-2 and Add.1 and 2)

1. At the invitation of the Chairperson, Ms. Muñoz (Paraguay) took a place at the Committee table.

2. Ms. MUÑOZ (Paraguay) said that her oral presentation would correct and expand on the initial report submitted in 1992. Since that time, important political and legal changes had taken place in Paraguay, including the adoption of a new Constitution and of major national and international legal instruments concerning women's rights. Those developments were described in the addenda to the report. Considerable changes were taking place in the country: after decades of authoritarian rule, a civilian Government had come to power in 1992, which had introduced a number of changes in the structure of the State, including decentralization, as well as measures to promote equality between men and women. The Government was seeking to move forward towards sustainable development and to strengthen the democratic process. The new Constitution stated that the country's system of government was a representative, participatory and pluralistic democracy, founded on the recognition of human dignity. It also stated that men and women had equal civil, political, social and cultural rights. Furthermore, it contained important provisions on family planning, women's political participation, equality in labour relations, the advancement of rural women and their sharing in the benefits of development, as well as affirmative action and measures for the eradication of violence against women.

3. Paraguay had ratified a number of international human rights instruments, including those directly concerned with women's human rights. It had ratified the Convention on the Elimination of All Forms of Discrimination against Women in 1986. Since then, women's organizations in the country had campaigned actively for the adoption of policies and legislation that accorded with the principles contained in the Convention. Implementation of the Convention, despite a number of achievements, had none the less encountered various obstacles which remained to be overcome. Equality had been achieved in a number of spheres, but there was still a considerable disparity between men's and women's participation in decision-making.

4. Paraguay had no legal or administrative provisions that expressly discriminated against women in the enjoyment of their human rights and fundamental freedoms. The Constitution required the State to adopt practical measures to overcome discrimination. It stated that all residents of the Republic were equal in dignity and rights, and that the State must remove obstacles to equality and prevent factors that promoted discrimination.

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5. In theory sexual discrimination no longer existed; in practice, however, much remained to be done. One of the major obstacles to the equal enjoyment of their rights was the fact that women were not sufficiently well-informed about their rights and about the exercise of citizenship. The Constitution provided for the creation of mechanisms to overcome such obstacles. One such mechanism was the Secretariat for Women, established in 1992, whose task it was to encourage the incorporation of a gender perspective into public policy. Important measures had also been adopted at the municipal level, including the introduction of a quota system for women's participation in community boards and local councils and the creation of offices for women's affairs. The State had also set up a National Council for Reproductive Health and Family Planning.
6. In order to overcome social and cultural attitudes that tended to entrench inequalities, the Secretariat for Women, municipal bodies and non-governmental organizations had concentrated all their efforts on a public awareness campaign and were in permanent contact with radio, television and the press. Under the National Plan for the Prevention and Punishment of Violence against Women, the authorities were promoting a number of educational activities, as well as measures for the prevention and punishment of acts of violence against women. The Government had also launched a National Programme for Equality of Opportunities and Results for Women in Education (PRIOME), and had set up a Network for the Education of Young People and Adults of Both Sexes, which, among other things, promoted female literacy.
7. It was clear that discriminatory cultural and social attitudes persisted which would take a long time to overcome. Efforts were being concentrated on laying the legal and institutional bases for the development of programmes of formal and informal education which would eliminate the stereotypes and prejudices that encouraged discrimination and violence against women.
8. With the adoption of Law 104 of 1990 amending the Penal Code, prostitution of others and traffic in women had been criminalized. Those amendments had been prompted by the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. It was recognized that prostitutes were exposed to health risks and the possibility of violence. In particular, considerable efforts were being made to defend the rights of girl children in the world of prostitution. There was also a national AIDS campaign which sought to safeguard the health of prostitutes.
9. Although women's political participation was one of the more visible changes which had taken place in the past five years, marked disparities still existed. Statistics published in 1995 by the United Nations Development Programme showed that women still occupied no more than 7 per cent of ministerial posts and Parliamentary seats and 10 per cent of posts in local government. At present, the only woman minister was the Minister in charge of the Office of the Secretariat for Women, and she took part in meetings of the Council of Ministers only when invited to do so by the President of the Republic. A proposal was currently before Parliament to amend the Electoral Code and to introduce electoral quotas for women.

10. The Constitution gave women equal status in respect of nationality and citizenship. No marriage contracted in Paraguay could affect a woman's nationality.

11. An increasing percentage of the total Government budget was being spent on education, and measures were being taken to include a gender perspective in education. While there was no gender-based discrimination in admission to formal education in Paraguay, the drop-out rate for girls had until recently been very high. However, census data published in 1994 had shown a marked improvement in the educational level of children aged seven and above, both nation-wide and in rural areas. An Educational Reform Council had been set up but had been slow to recognize the specific problems of women. PRIOME had become an effective tool for overcoming such problems. The drop-out problem was acute, especially in rural areas and was closely linked to poverty. It was hoped that, as poverty diminished, children would have a better chance of attending primary and secondary school and moving on to higher education.

12. The Constitution dealt specifically with female labour, stating that no discrimination among workers on grounds of ethnic origin, sex, age, religion, social status or political or union preference was permitted. In 1993, the National Congress had adopted a new Labour Code which contained important innovations regarding domestic service, sexual harassment in the work place and other aspects related to the human rights of working women. According to the 1992 census, the percentage of women in the economically active population was only 22.1. That figure did not, of course, take into account women's informal work and work in the home.

13. Regarding access to vocational training, the Ministry of Justice and Labour administered a National Vocational Training Service, through which the Secretariat for Women promoted the vocational training of women. There was no restriction on women's right to paid leave, compensation for dismissal or bonuses. Those requirements, as well as the obligation to provide social security coverage, also applied to employment in domestic service. The Constitution contained explicit provisions on maternity leave and the future possibility of paternity leave. The Labour Code provided for the health and safety of pregnant women and nursing mothers; under the Constitution, women employees could not be dismissed during pregnancy or maternity leave. The Labour Code also called for the establishment of day-care centres in enterprises.

14. The General Directorate of Family Welfare and the General Directorate of Social Welfare had responsibilities which included the promotion of health services for women and families. The National Council for Reproductive Health and Family Planning was responsible for proposing, monitoring and executing reproductive health and family planning programmes.

15. There was no legislative restriction on women or inequality between men and women in carrying on commercial activities or obtaining loans or mortgages. Married women were subject to the same restrictions and had the same rights in that regard. Women were not subject to any restrictions on their leisure, sports or other cultural activities. A number of clubs had changed their statutes in order to accept women members.

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16. There were more than 980,000 rural women in Paraguay, and it was clear that they had less access to education and health than men and urban women. There were nearly 25,000 indigenous women in rural areas. Since Paraguay was a multicultural country, the term "rural women" included peasant women and indigenous women, and both were explicit beneficiaries of agrarian legislation. Development plans, although not explicitly discriminatory, reflected the existing social order; they lacked a gender perspective, with the result that planners had not paid sufficient attention to women's problems. The Government had begun implementing a number of programmes for rural women.

17. Among the legal advances achieved in recent years, the most important was the establishment of women's equality before the law. The Constitution explicitly recognized that men and women were equal in civil, political, economic, social and cultural rights. There was full equality between men and women in the enjoyment and exercise of civil rights, and men and women had the same legal capacity both as single people and in marriage or de facto partnership. They had equal capacity to administer the marital property and to enter into contracts; they also had equal rights if the marriage ended and the marital property was divided. The Civil Code prohibited the execution of contracts with third parties without the knowledge and authorized signature of both spouses, in order to safeguard communal property. Consequently, any private act or instrument executed by the husband without the wife's consent was null and void.

18. Husband and wife exercised the same rights over their children, and children born in and out of wedlock had the same rights. The Constitution stated that men and women had the same right freely and responsibly to decide on the number and spacing of their children and to receive family planning information and services. Married men and women had the same rights and duties. A married woman was free to decide whether or not to use her husband's surname, and a husband could add his wife's surname to his own, if he wanted. Children born in wedlock bore the surname of each parent, the order of names being decided by agreement between the parents. Lastly, husband and wife exercised the same rights of parental authority over their children.

19. The CHAIRPERSON thanked Ms. Muñoz for her presentation and for the considerable effort that had gone into its preparation. Given the fact that Paraguay was in a period of transition to democracy, it was surprising that its first report adhered so closely to the Committee's guidelines. She praised the report's frankness, the care taken in its preparation and its clear recognition that there was a gap between law and reality and that much remained to be done. It was clear that not only the Government, but also civil society, were firmly committed to the implementation of the Beijing Platform for Action, and the country's well-developed women's networks, particularly the network of women town councillors, showed that Paraguayan women were committed to improving their own status.

Article 2

20. Ms. SCHÖPP-SCHILLING said that the transition from dictatorship to democracy provided Paraguay with an opportunity to make women a part of the democratic process, rather than repeat the errors of the transition to democracy

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in Europe. Paraguay would also be able to benefit from the gains of the women's movement over the past 20 years.

21. She asked whether the fact that, as addendum 1 to the report stated, the Secretariat for Women had been established as an organ of the Office of the President of the Republic meant that the duties of the Minister in charge of the Secretariat differed from those of other government ministers, and whether the Secretariat had its own staff and budget or whether its primary function was coordination with other ministries. Similarly, she wondered whether the Network of Town Councillors had legal status or had been established informally by women's groups and municipal leaders. She felt that it was important that there should be a legal basis for the Network, and offered to assist in establishing contact between women municipal officials in Paraguay and those in Germany, where such institutionalization had borne considerable fruit.

Article 4

22. Ms. MÄKINEN welcomed the introduction of a quota system for political bodies, a practice which had recently been established in Finland with encouraging results. She wondered whether Paraguay's national machinery had developed a plan to increase the political participation of rural women more effectively and how the Government proposed to combat violence against women, which appeared to be a major problem in Paraguay. She noted that there had been changes in the Labour Code which would affect the status of women in the labour market, but wondered whether any temporary measures had been taken to improve the situation of women working in the informal sector.

23. Ms. AYKOR noted that the Secretariat for Women had been established as the national machinery for initiating policies and affirmative action on behalf of women. She wondered, however, which institution was responsible for implementing those policies, and whether the Secretariat was primarily a coordinating body responsible for initiating and overseeing the policies of other institutions. She asked how large the Secretariat's budget was, how large a staff it had and whether its resources were sufficient, especially for dealing with health issues and the transition to democracy. She wondered whether the Secretariat was able to compile gender-disaggregated statistical data; the report stated that insufficient data were available, but addendum 2 provided extensive statistics.

Articles 5 and 6

24. Ms. BUSTELO GARCIA DEL REAL praised Paraguay's National Programme for Equality of Opportunity and Results for Women in Education but wondered whether it was Government-sponsored, whether it had the support of Parliament and whether it had been reflected in the legal system. Such programmes required a legal basis. While parliamentary support did not guarantee implementation, it was an important step. She hoped that the Committee would receive further information on the success of the Programme in Paraguay's next periodic report.

25. She asked whether article 5 of the Convention was being publicized in order to convey the importance of eliminating stereotypes and changing behaviour

patterns. In her own country, Spain, the provisions of article 5 were not sufficiently well known.

26. According to paragraph 48 of the report, a proposal for a minimum 20 per cent quota for female representation in executive and elective posts had been appealed on constitutional grounds. However, since addendum 1 stated that several political parties had introduced a minimum quota for women in lists of candidates for elective office, she assumed that the appeal had been unsuccessful.

27. While it was encouraging that the Government had instituted a National Plan for the Prevention and Punishment of Violence against Women, a number of laws still needed to be amended. For example, the rape of a married woman was punished more seriously than that of a prostitute or a woman who was not a virgin, and penalties varied according to the age of the victim. Domestic violence as such did not seem to be identified or punished under the Penal Code, and abduction, like rape, carried different penalties according to the age and marital status of the victim. An attack on a married woman was punished more harshly, because the offence was regarded as an insult to the husband rather than to the wife. She requested more information on that issue, so that the Committee might formulate a recommendation on it.

28. More information was also needed on sexual harassment, which was not covered by the legal systems of many countries, and on exploitation of the prostitution of others. It was not clear whether pimps were punished more severely if they benefited from the prostitution of minors, or whether the clients of prostitutes were punished at all. Further information was also required on the rehabilitation centres for prostitutes. In order to determine whether existing laws were adequate and whether they were being applied, it would be useful to receive data on the number and type of judgements handed down in cases of violence against women, procurement and traffic in women; even laws which were good in themselves were ineffective if there was no will to enforce them or if they could not be enforced.

29. Ms. KHAN said that the approach taken towards prostitution seemed arbitrary. It appeared that some 26,000 Paraguayan children, many of them under 12 years of age, were working in cities as street vendors or prostitutes. The report presented by Paraguay at the Beijing Conference had made it clear that violence against women, including very young women, was a serious problem in that country. Measures to re-educate the public had included radio programmes devoted to the study of gender perspectives, but it appeared that no effective mechanism had been developed and the Penal Code continued to distinguish among different categories of violence against women. She wondered whether any measures had been taken to inform the public of the provisions of articles 5 and 6 of the Convention and, if so, whether those measures had produced results. She also wondered whether any use had been made of television, which had a wider influence than radio, in re-educating the public.

30. Ms. GURDULICH DE CORREA, speaking on article 6, asked what the Government was doing to help rural women, who mostly spoke only Guaraní and were often illiterate, and what changes had been made in the Penal Code with a view to implementing the new Constitution. She agreed that the Committee needed more

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information on violence against women in order to formulate a recommendation; in particular, she would like to know what penalties were imposed for the rape of children. Lastly, the Committee had learnt that there had been an increase in the traffic in women and girls, who were being taken to other countries; it would like further information on the matter.

31. Ms. ESTRADA CASTILLO said that, as a woman in a position of power, Ms. Muñoz provided women in her country with both a role model and a reason for hope. Speaking on article 6, she noted that, since paragraph 70 of the report stated that there was no specific legislation dealing with prostitution, she assumed that there was no specific declaration in Paraguayan law that prostitution per se was a crime. However, the report also stated that police were authorized to conduct raids, and it was her understanding that prostitution, like homosexuality and transvestism, was considered an offence against public decency. She wondered whether police corruption contributed to the problem. Since many urban prostitutes were extremely young, she wondered how Paraguay was protecting its human resources for the future. She would like to know how many pimps were currently in jail and what measures existed for the rehabilitation of minors who engaged in prostitution. She also wished to know how the Government was meeting its commitment under the Convention to eliminate from the Penal Code subjective terms such as "immoral" and "improper" or, failing that, who was responsible for determining what constituted immoral or improper behaviour. It was not clear how minors who engaged in prostitution were being punished; there was no reference to the punishment of adult prostitutes, but the Penal Code stipulated that under-age girls could be placed under the responsibility of the juvenile courts and even institutionalized. She wondered whether such girls were really being rehabilitated and equipped for re-entry into society.

Article 7

32. Ms. GURDULICH DE CORREA said that her country, Argentina, had always supported efforts by Paraguay's leaders to amend the Electoral Code. The introduction of a minimum quota for women's participation in the legislature would bring about qualitative as well as quantitative changes, and the women thus elected would be able to secure not only de jure but also de facto improvements in the status of women, including women in rural areas, who were the most disadvantaged.

33. Ms. CORTI wished to know how the Minister in charge of the Secretariat for Women and other women politicians in Paraguay were ensuring that the gender perspective was taken into account by political parties, and how the Minister was coping in a male-dominated Government. She would also appreciate information on Paraguay's electoral system, the treatment of women under that system and whether any political parties had specific projects to promote universal and compulsory education. As long as there was bilingualism in Paraguay and the mass of the rural population spoke only Guaraní, there would always be two classes and no social progress would be possible, especially for women. Women were underrepresented in trade unions, which played a crucial role. If women were not active in trade unions, there would always be segregation in the workforce, especially in times of crisis when men would tend to defend the cause of male workers.

34. She asked whether, under Paraguayan law, rape was considered an offence against morality or an attack on the human person.

35. Ms. KHAN, referring to the electoral quotas mentioned by the representative of Paraguay, asked what percentages had been set for women. In view of the important historical role played by peasant women in the political process, she wished to know whether any specific quotas had been set aside for peasant women by the three political parties that had quotas for women, and whether women's organizations had taken advantage of the Convention in that regard.

36. The CHAIRPERSON said that non-governmental organizations had expressed concern at the fact that the Minister in charge of the Secretariat for Women did not have the same rank as other ministers and did not have a say in national policy discussions unless they dealt exclusively with women's issues. The Committee should recommend that the Secretariat for Women be given the same political authority as other government ministries, since its special status was a hidden form of discrimination.

Article 10

37. Ms. ESTRADA CASTILLO, referring to the statement that there was no discrimination between men and women in the area of education, asked why 6 in 10 illiterate people in Paraguay were women, what the Government was doing to deal with the problem of illiteracy especially since 60 per cent of the population spoke only Guaraní, what kind of educational development programme it was preparing in order to provide access to education for the hundreds of thousands of illiterate women in Paraguay and, specifically, whether there was a declared policy of including rural women in mass education programmes. The representative of Paraguay should indicate whether any specific plans had been implemented to give older women access to education and whether, given the fact that 70 per cent of the rural population lived in extreme poverty, the Government had taken steps to provide alternative training for rural people so that they participate more fully in development.

38. Ms. OUEDRAOGO said that, although substantial progress had been made in eliminating discrimination in education, there was a contradiction between the statement that there was no discrimination in education and the fact that the massive migration of rural women to urban areas was caused by inequalities in education. Rural women did not get the training they needed to compete for jobs in their places of origin. She would appreciate more information on that issue and on the age of rural women who migrated. She would also like to receive information on the school drop-out rate and on any programmes that the Government intended to implement in order to remedy that situation, which affected girls more than boys.

39. Ms. ABAKA said that information should have been provided on the availability of any educational programmes on health and family well-being and on the extent to which such programmes were geared towards women. The availability of family planning information and advice and women's access to it should have been described, as should any practical and legal measures taken to eliminate the remaining vestiges of discrimination in education.

Article 11

40. Ms. MÄKINEN, noting the enormous pay disparity between men and women, asked whether there was a minimum wage in Paraguay, especially for domestic employees, and whether the Government had any plans to improve the working conditions of domestic employees.

Article 12

41. Ms. ESTRADA CASTILLO, noting the alarmingly high abortion rate, asked whether the Government was developing any programmes to reduce the incidence of abortion and whether any policy statement existed in that regard. She wished to know whether the health of pregnant teenagers was monitored, whether the Government offered them any specific assistance and what happened to their babies. Since Paraguay had very high maternal and infant mortality rates, she wished to know whether there were any specific programmes to reduce the infant mortality rate, why mothers were dying in such large numbers and what action was being taken to remedy the situation. Any information on specific plans and programmes to control sexually transmitted diseases among adolescent girl prostitutes would also be appreciated.

42. Ms. CORTI asked whether any policies were being implemented to prevent the spread of AIDS, and whether women were being adequately informed about the dangers of that disease and how to protect themselves against it. Concerning abortion, the Committee would appreciate receiving any available statistics on illegal abortions and the abortion methods used. Referring to the statement that it was customary for women to consult their husbands before availing themselves of family planning services, she asked what action the Government was taking to educate women and liberate them from their psychological dependence on men. In view of the high fertility rate among the Guaraní, she wondered how the Government would go about introducing family planning among that segment of the country's population.

43. Ms. SHALEV said that the higher rates of infant mortality among girls between the ages of one and four years might be due to what the Beijing Platform for Action termed gender gaps in nutrition or simply discrimination in the allocation of food among girls and boys. Concerning the extremely high levels of maternal mortality, there was abundant evidence that many of those deaths were caused by unsafe abortions, due to the fact that abortion was illegal in Paraguay. It was very important to assess the health impact of the law on abortion and to take into account the Beijing Platform for Action, which called on States to review laws containing punitive measures against women who underwent abortions. There appeared to be a conflict between the law on abortion and the Constitution, which recognized the right to decide freely on the number and spacing of children. The law appeared to place women's right to life in severe jeopardy. The World Health Organization might be able to assist Paraguay in studying the dimensions and causes of maternal mortality. She would also appreciate information on the number of prosecutions for illegal abortion. Noting that Paraguay's laws were more lenient with regard to infanticide committed to protect the honour of women, she asked for comparative information on the laws concerning abortion and infanticide, the corresponding penalties, and the number of prosecutions under the law on infanticide.

44. Concerning sexual health, she asked whether there were any plans to amend the law which made a child's statement in a case of alleged sexual abuse inadmissible in legal proceedings, as that indirectly affected the child's right to sexual health.

45. Ms. KHAN said that family planning and access to birth control seemed to be the key health issues in Paraguay, especially in rural areas. She asked whether anything was being done to develop statistics on abortion. It appeared from an NGO report submitted to the Fourth World Conference on Women that because abortion was illegal and birth control was inadequate, Paraguayan women frequently sought illegal abortions. She asked what happened to the unwanted babies that were born, whether children born out of wedlock had the same rights as other children, and whether such children received any kind of support from the father. What was being done by the Ministry of Health to address the situation, were women's groups lobbying church leaders to try to amend abortion laws, and was the Secretariat for Women taking any action? Since about half the doctors in Paraguay were women, it should be possible to address the situation if the Government developed strategies based on the Convention and the Beijing Platform for Action.

46. Ms. ABAKA said that in General Recommendation No. 15 on the avoidance of discrimination against women in national strategies for the prevention and control of AIDS, it was recommended that States parties should include in their reports information on the effects of AIDS on the situation of women and information on the action taken to cater to the needs of women who were infected and to prevent specific discrimination against women in response to AIDS; that information was lacking in the report and should be provided.

47. There was no information in the report about Paraguay's population policy. It was regrettable that, as indicated in paragraph 308, the issue of abortion was not even discussed at the public level. It appeared from the NGO report on Paraguay submitted to the Fourth World Conference on Women that Paraguayan women were continuing to seek illegal abortions when they did not meet the criteria for abortion on medical grounds. She asked whether any penalties were imposed for illegal abortion and whether there had been any court cases. She would also welcome information on the number of teenage pregnancies, the age of teenage mothers, and what happened to them after they gave birth.

48. The family planning methods referred to in paragraph 310 were all for women, with the exception of the traditional withdrawal methods. She asked whether that meant that men were not involved in the way that women were as beneficiaries of family planning programmes. She also sought information on the health needs of migrant women in Paraguay, and on drug abuse and related problems among women and programmes to combat drug addition.

Article 14

49. Ms. OUEDRAOGO requested information on efforts by rural women to organize themselves. The report highlighted the persistence of stereotypes and problems of social discrimination and injustice, but there was no indication of the impact of action carried out by women themselves. If women were not organized at the grass-roots level, it would be impossible to achieve the desired results.

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50. Paragraph 337 referred to the lack of obstetrical care but did not indicate how that was reflected in maternal and child health. Information was needed on the rate of maternal mortality resulting from lack of preventive care. Sex education for girls was important, particularly in view of the high illiteracy and school drop-out rates for girls, which contributed to the number of illegal abortions. She asked what educational programmes were being developed for girls in rural areas.

51. Ms. GARCIA-PRINCE said that the Committee needed information on the efforts of peasant groups to gain ownership of land, which, according to the NGO report on Paraguay, were being blocked by the Government. There seemed to be strong opposition to agricultural reform and high levels of violence in the countryside, affecting entire families.

52. The Committee also needed information about the situation of indigenous women, since both the report and the addenda included indigenous women among rural women in general and that could conceal information on the double discrimination often encountered by indigenous rural women.

53. Women needed to be fully represented in government. The gender approach must be global rather than sectoral; gender perspectives must be incorporated in the mainstream of development and in the economic and social decisions taken by the Government. The Secretariat for Women could not be excluded from economic and social decision-making.

Article 15

54. Ms. GURDULICH DE CORREA asked for information on the situation with regard to legal equality between men and women in Paraguay and on whether women and men had equal opportunities to join the armed forces.

Article 16

55. Ms. CARTWRIGHT said that she had been pleased to hear that the Paraguayan Government had been focusing on the question of women's right to own and administer land. It appeared from the report that there were a significant number of female-headed households in Paraguay, and women needed to be able to own and administer property, including land, in order to feed and shelter their families. Moreover, women must be protected in any land reform that was carried out.

56. Referring to General Recommendation No. 21 and the rights of women in respect of inheritance and marital property, she asked whether women had the same rights as men to inherit land and other assets, whether they had means of redress through the courts, and whether the courts recognized the principle of equality and the right of women to inherit land and assets. Were women entitled to an equal division of property following the breakdown of marriage and did the courts enforce the law fairly?

57. She asked whether there were any educational programmes for judges, police, lawyers, court administrators and prison officials on the importance of gender issues as they affected the administration of justice. She also sought

information on the level of representation of women in all areas of the administration of justice.

58. From information provided by NGOs concerning the basic right not to be held in prison without an arrest warrant or conviction, she said that it appeared that that right was being violated in Paraguay; there were also reports of ill-treatment of women in prison or custody, in violation of the International Covenant on Civil and Political Rights. She asked whether the Government of Paraguay was taking steps to deal with that situation.

59. Ms. AYKOR said that paragraph 361 indicated that over 11 per cent of farmers were women heads of household, and yet, according to the addendum (CEDAW/C/PAR/1-2/Add.1), both spouses had the same rights when a marriage broke up. In the oral report, it had been indicated that cohabiting couples had the same rights. She asked what was meant by "shared living" and whether that meant that female heads of families had the same responsibilities as men when shared living arrangements were dissolved.

The meeting rose at 1 p.m.



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of All Forms of Discrimination
against Women**

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Fifteenth session

SUMMARY RECORD OF THE 290th MEETING

Held at Headquarters, New York,
on Thursday, 18 January 1996, at 10.15 a.m.

Chairperson: Ms. CORTI

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CONVENTION (continued)

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The meeting was called to order at 10.25 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE
CONVENTION (continued)

Combined initial and second periodic reports of Iceland (CEDAW/C/ICE/1-2)

1. At the invitation of the Chairperson, Mr. Petetursson (Iceland) took a place at the Committee table.

2. Mr. PETEURSSON (Iceland) said that Iceland had ratified the Convention in July 1985 and had prepared an initial report in 1987. Unfortunately, that report had never been submitted to the Committee. He wished to stress that that situation did not reflect the Icelandic authorities' attitude towards the Convention or towards the efforts being made within the United Nations to eliminate discrimination against women; on the contrary, the Icelandic authorities wished to do their share to ensure equality between women and men in all areas.

3. The report focused on the situation in Iceland as of 1991, covering the period up to 31 December 1991. In accordance with the Committee's general guidelines, part I contained general information about Iceland, the observance of human rights in general, and the status of women in particular; part II contained specific information relating to individual provisions of the Convention.

4. It was worth noting that Iceland's economy had recovered strongly in 1994, after a long period of stagnation, with exports acting as the driving force; the gross domestic product was expected to have continued to increase in 1995. Unemployment had risen in recent years and had been 4.7 per cent in 1994 - 6.1 per cent for women and 3.7 per cent for men.

5. In connection with article 2, as noted in the report, Iceland had enacted a special law, the Law on the Equal Status and Equal Rights of Women and Men, in 1991. In 1994, a provision had been added to the human rights section of Iceland's Constitution, establishing that all persons were equal before the law and enjoyed human rights without distinction. In the opinion of the Icelandic authorities, those provisions ensured the legal equality of women and men. However, it could not be denied that the de facto status of women in Iceland was worse than that of men. The Icelandic authorities had therefore established a special council, the Equal Status Council, consisting of seven members, to advise the authorities on policy formulation and to work towards full equality between women and men in all spheres of society. The Council reported to the Ministry of Social Affairs.

6. The Complaints Committee of the Equal Status Council, established in 1991, consisted of three attorneys who considered complaints by individuals, both women and men, relating to discrimination on grounds of sex. Most of the complaints received had been made by women and concerned alleged discrimination in the labour market. The Committee received about 14 complaints a year, but it should be recalled that Iceland's population was very small. The Committee's

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conclusions were not binding, but if a party did not accept its recommendations, the Committee could file a lawsuit; currently, it had 10 cases pending in court. Out-of-court settlements between parties were expected to become more common, but employers were urging that court rulings should first be made on the Committee's interpretation of the law.

7. The four-year Plan of Action on Equal Rights for Men and Women, adopted in 1991, was currently being revised, but the main emphasis was still on the aspects outlined in paragraph 92 of the report. Iceland also participated actively in Nordic cooperation on questions of equality and was currently working with the other Nordic countries on a Nordic cooperation plan.

8. In connection with article 5, the Ministry of Justice had appointed a committee in 1995 to study the extent and causes of domestic violence in Iceland; the results should be available later in 1996. Another committee was studying ways to improve the situation of victims of domestic violence; among the aspects being studied were whether a police ruling alone was sufficient to impose a restraining order and whether victims of violence should be provided with legal assistance. In 1995, a law had been passed making the State Treasury responsible for the payment of damages to victims of domestic violence if such violence was reported formally to the police and the victim made a formal claim for damages. Sexual abuse was not classified separately from domestic violence, but figures were kept on the number of rape victims. The usual punishment for rape was 18 to 24 months' imprisonment.

9. A special committee of the Equal Status Council was responsible for efforts to involve men and improve their attitudes towards equality between women and men. It had worked for two years to promote a general debate on domestic violence in Iceland. In 1994, it had organized a seminar in Reykjavik on the theme of men against violence and had issued a special booklet on violence which had been distributed in all Iceland's secondary schools. One of the committee's goals was to promote group therapy for male offenders.

10. In December 1982, a women's shelter had been opened in Reykjavik, serving the whole of Iceland. Its aim was to help victims break free of violence and manage on their own; absolute anonymity was maintained. Up to the end of 1995, a total of 2,173 women had sought help at the shelter. State-sponsored school classes were organized for their children.

11. Stígamót, an organization of women against sexual violence, had been established in 1989; it provided support and counselling to women and children who had been sexually abused and also operated as an education and information centre which was open to the public and to various working groups involved in assisting the victims of sexual violence. Over the past five years, a total of 1,700 victims of sexual abuse from all over the island had sought help at Stígamót. Most of the victims had been under the age of 16, and two thirds had been victims of incest. About 80 per cent of the victims were women and girls.

12. A special emergency ward for rape victims had been opened at the Reykjavik city hospital in March 1993. It provided medical, psychological and social assistance to victims of rape or attempted rape and was open to men and women

alike. Children younger than 14 years of age were referred to the national hospital for medical examinations.

13. In relation to article 6, as stated in the report, exploitation of prostitution had been punishable by law for many years. In 1992, the Penal Code had been amended to make any kind of incitement to prostitution punishable by law; trafficking in women was punishable by up to four years' imprisonment.

14. In relation to article 7, Icelandic women exercised their right to vote to the same degree as men. Voter participation rates for both men and women were among the highest in the democratic countries. However, women faced many obstacles in running for public office. Until 1979, women had been on the political sidelines. Since then, they had steadily increased their share of public office, and 25 per cent of the seats in the Icelandic Parliament were now held by women. In the 1995 parliamentary elections, a greater number of women than in the past had led the slates in their constituencies. Women had increased their participation in municipal councils and in 1994, for the first time, had constituted a majority on the Reykjavik city council.

15. Iceland had had a woman President since 1980; she had been one of the first democratically elected female presidents in the world.

16. Since 1985, the office of the Equal Status Council had monitored the share of women in leadership positions within ministries, which had been 24 per cent in 1985 and had increased steadily since then. Women constituted about 20 per cent of the Icelandic Foreign Service, and of 19 ambassadors, 1 was a woman who had been appointed in 1991, the first Icelandic woman to hold such office.

17. Preparations for the Fourth World Conference on Women had been led by the Ministry of Foreign Affairs on behalf of the Icelandic authorities. A special committee had been established. Throughout the preparatory process, emphasis had been placed on ensuring cooperation with women's groups and with the ministries and organizations involved. The Ministry of Foreign Affairs had also issued a booklet reproducing international resolutions on the human rights of women and the report by the Icelandic authorities on the rights and status of women.

18. For many years, the Government had placed emphasis on increased education for women, with the goal of ensuring equal status and rights. The principle of Iceland's education system was that everyone should have equal educational opportunities. The compulsory school system applied from the age of 6 to 16. All children had to attend primary school, with the result that participation was 100 per cent. About 85 per cent of young people completing their compulsory schooling entered some kind of secondary school. Girls' and boys' conventional choices of courses of study and careers were apparent from their areas of advanced study. In the four-year cycle of theoretical studies, girls had been in the majority since 1977, whereas in vocational and technical studies, boys were in the clear majority. Boys' choices was significantly more varied, providing them with a wider range of opportunities when they entered the labour market. That had been a matter of some concern for the Government. At the university level, during the period 1981-1990 the number of students had

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increased by 30 per cent, with the number of men increasing by 10 per cent and the number of women by 52 per cent. Women currently accounted for about 50 per cent of graduates from the University of Iceland. At the university level, some fields were considered "women's fields" and others, "men's fields". However, women were entering some traditionally male fields, including law and business administration. Unfortunately, there was no indication that men were attaining equality with women in traditionally female fields; on the contrary, the number of men in the teaching profession, for example, was decreasing steadily.

19. The report mentioned a working group appointed in 1987 by the Minister for Education to ensure that schools were operating in accordance with the provisions of the Law on the Equal Status and Equal Rights of Women and Men. The working group's principal objective had been that girls and boys should be prepared equally for active participation in family life, professional careers and society as a whole. A special task committee within the Ministry of Education, set up to ensure implementation of the working group's proposals, had been engaged in special education efforts aimed mostly at teachers. It had published a special booklet for parents and guardians, and had been involved in a cooperative project for the preparation of secondary school materials on education and careers for both sexes. The committee had recently been replaced by a working group within the Ministry of Education whose tasks included studying equal rights education in schools and preparing for a conference on equal rights in the Icelandic school system.

20. As stated in the report, there was no difference between the sexes regarding entitlement to State scholarships and grants. Students in higher education had the right to special study loans, provided that their educational achievements met certain standards. The amount of such loans was the same for men and women.

21. The issue of functional literacy programmes for adults, and of gender-related gaps in the basic education of women and men, did not apply in the case of Iceland because of the compulsory school system and the high overall standard of education of the Icelandic people. In the area of continuing education for working people, the Government emphasized measures to balance the status of women and men. Legislation on vocational training had been adopted in 1991 and had called for the establishment of a vocational training fund. That legislation was particularly beneficial for women, as a certain percentage of women in the labour market had no vocational training. The Vocational Training Council emphasized support for courses targeting unskilled workers and nursing staff. Women were in the majority in those groups.

22. Regarding the status of women in the labour market, the information in the report was, unfortunately, a few years old. As stated in the report, women had the same legal rights as men with regard to jobs, promotions, vocational training and wages. However, it could not be denied that, in many respects, the *de facto* and *de jure* situations were not the same.

23. Women's labour participation in Iceland was greater than in most countries, and recent decades had seen a steady increase in that regard. In 1995, close to 78 per cent of women between the ages of 16 and 74 had been economically active,

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while the comparable figure for men was 87 per cent. About 51 per cent of working women and 89 per cent of men held full-time jobs. The average working hours of fully employed women were 44 hours per week, whereas fully employed men averaged 52 hours per week.

24. Until recently, the job division on the Icelandic labour market had been very conventional; however, women were increasingly entering occupations traditionally dominated by men. Women were mainly engaged in general services and in office and retail work, while men tended to be employed in specialized industrial jobs, and machine-related jobs. A significantly higher proportion of men than women held administrative and senior civil service positions.

25. Unemployment had been increasing in Iceland in recent years, and, unfortunately, that situation had affected women to a greater extent than men. In 1994, the average unemployment rate had reached 4.7 per cent; during that year, 6.1 per cent of women had been unemployed. Women and men had the same right to unemployment benefits.

26. Despite formal equality of the sexes and equal rights legislation specifying that women and men should be paid the same wages for work of equal value, repeated wage surveys had revealed that there was a significant difference in the wages of men and women. So far, the wage differential had been explained on conventional grounds, for example, by differences in working hours, the shorter careers of women, choice of work, and different opportunities for securing better paid jobs. However, according to a survey conducted for the Equal Status Council, those conventional explanations did not suffice. The purpose of that survey had been to show how the wage differential was created and where it was to be found, and to determine whether women were discriminated against on the labour market on grounds of their sex, the object being to enable the authorities to eliminate gender-related wage differentials. The survey had shown that there was a considerable wage gap between men and women: taking the average wage as a basis, women earned only 68 per cent of what men earned. Taking into account factors such as professional field, education, seniority, age, number of overtime hours worked and what the job entailed, the daily wages and extra payments received by women were 11 per cent lower than those received by men. The only explanation for those differences was gender.

27. The issue of gender-related wage differences had been brought into the spotlight before the parliamentary elections in 1995. The Minister for Social Affairs had appointed a working group to study gender-neutral job evaluation as a tool for reducing wage differences between women and men. A detailed report was to be presented in January 1996. The wage gap was a problem deeply rooted in Icelandic society and would only be solved through a variety of measures. Totally overhauling the wage system and establishing a balance in men's and women's family responsibilities - which would require a change of attitude towards the roles of men and women in society - were among the measures that had been discussed. The Law on Maternity Leave was being revised to enable men to participate more fully in caring for their children in the first months after birth. Special emphasis was to be placed on the status of women in connection with the revision of the wage system for civil servants and the formulation of a new State personnel policy.

28. Icelandic legislation did not specifically cover sexual harassment in the workplace, but it was generally understood that the Law on the Equal Status and Equal Rights of Women and Men was to be interpreted in such a way as to apply to that problem. Article 6 of the Law stated that an employer could not discriminate against employees on the basis of sex. The same applied to working conditions and terms of employment. Work had begun on studying the extent and nature of sexual harassment in the workplace, and an information booklet had been published, specifying what sexual harassment was and explaining the remedies available to victims.

29. The regulations on maternity leave were detailed in the report. A committee appointed by the Minister for Health was currently revising the existing Law on Maternity Leave, with the goal of increasing men's involvement in the care of young children.

30. The majority of Icelandic children aged from three to five years attended nursery schools on a part-time basis, and the proportion of children attending nursery school had increased to 79 per cent in 1994. In the same year, 21 per cent of children below the age of two years had attended nursery school. It was generally acknowledged that greater efforts were needed in that area. On 1 January 1995, a new position of Children's Ombudsman had come into being. The Ombudsman was the spokesperson for all children up to the age of 18 and his role was to promote full consideration of the rights, needs and interests of children. The general status of children in Iceland played a significant role in shaping the real opportunities for women to participate fully in the economy and in society.

31. The report discussed the measures taken with regard to the special living conditions of rural women and the importance of ensuring that they enjoyed all the rights covered by the Convention. Rural women frequently had fewer opportunities to work outside the home than men, or than women living in urban areas. The Government had taken steps to improve the situation and its proposals were detailed in the report. In 1991, a fund had been established to assist with women's employment problems. Until 1994, the fund had provided support only to rural women, but since then all women had had the opportunity to apply for financial assistance. The reason for the change was that there was little difference in the unemployment rates for rural and urban women. Areas where the unemployment rate among women was relatively high received more attention, and efforts were made to channel grants to those areas. Priority was given to development projects that were considered likely to increase women's job opportunities. The fund had also supported the hiring of special employment consultants who worked with women in particular. Special women's workshops and courses for women in rural areas had received support.

32. From 1986 to 1989, the Technological Institute of Iceland had sponsored courses for women wanting to set up their own businesses. It had been found that a greater number of women were currently running their own companies than before the courses had been held. In 1992, a new course, "Active Women", had been launched, intended particularly for rural women. Special educational materials prepared by the Technological Institute of Iceland were to be published shortly, providing women throughout the country with information on their status and rights.

33. As stated in the report, Iceland complied with the provisions of articles 15 and 16 of the Convention. Article 65, paragraph 1, of the Constitution stated that all persons were equal before the law regardless of their sex, and paragraph 2 of the same article stated that women and men were to enjoy equality in every respect. Equality between the sexes was thus a constitutional right. In addition, article 3 of the Law on the Equal Status and Equal Rights of Women and Men prohibited all forms of discrimination on the basis of sex. Those provisions meant that women had the same rights as men to enter into contracts and to administer property. They were also treated equally in all stages of court procedure. Both parties to a marriage had the right to control their property and were responsible for their debts.

34. According to article 66, paragraph 4, of the Constitution, all persons who were in the country legally had the right to decide on their place of residence and domicile and enjoyed freedom of travel within the limitations specified by law. That provision applied to everyone, regardless of gender. Regarding married couples with children, if the spouses resided at separate locations and there was disagreement between them as to where their legal residence was, the legal residence was deemed to be the residence of the spouse having the care of the children. In other cases of disagreement, the Statistical Bureau determined which residence was the legal one.

35. The Marriage Act of 1993 stipulated equality between spouses. According to article 2 of the Act, spouses enjoyed full equality in their marriage and had equal duties towards each other and their children. They were also required to jointly raise their children, provide for them and cooperate in providing for the family through financial contributions and work in the home. Spouses were to divide domestic tasks between them to the extent possible, as well as the expenses entailed in running a home and providing for a family. They had the duty to provide each other with information on their respective finances and expenditures. Article 7 of the Act stated that a man and a woman could enter into marriage when they reached the age of 18. The same terms of marriage applied to women and men. Upon the dissolution of a marriage, women and men enjoyed the same rights. Upon the division of property, each spouse was entitled to one half of the property that was clearly jointly owned. Spouses had the same right to custody of the children upon the dissolution of their marriage, irrespective of gender.

36. According to article 75 of the Constitution, everyone was free to engage in a profession of his or her choosing, irrespective of gender. The same regulations applied to both sexes regarding family names. The passage of article 65, paragraph 2, of the Constitution on full equality between women and men had removed any doubts as to the equality of the sexes in Icelandic law. Much had been achieved in recent years, but the Government was fully aware that much still remained to be done.

37. The CHAIRPERSON thanked the representative of Iceland for his oral presentation, noting that it followed the Committee's guidelines more closely than did the written report. She congratulated him on the frankness with which he had described the differences between the *de facto* and *de jure* situations in Iceland. In the legal field, much had been achieved and Iceland was in some ways more advanced than some other European countries. The purposes and

achievements of the Equal Status Council were most impressive. She welcomed the fact that the oral presentation had emphasized the problem of violence against women to a much greater extent than the reports of a number of other Governments. That reflected a great awareness of the scale of the problem of discrimination against women in that area. It was clear that the contents of the Committee's general recommendations had been taken fully into account by the Icelandic Government. Regarding the participation of women in political life, however, Iceland could usefully follow the example of a number of Baltic and Scandinavian countries.

38. Ms. ABAKA said that report gave insufficient information on specific articles of the Convention. It was unfortunate that, as stated in paragraph 54 of the report, human rights conventions had not been incorporated into Icelandic law, although she was convinced that Iceland was, in fact, adhering to international human rights norms. Nevertheless, the world had become a global village and it was important for people living in Iceland to be able to challenge non-compliance with the articles of the Convention. She urged Iceland to consider incorporating those articles into domestic law, particularly in view of the fact that the United Nations was in the process of drafting an optional protocol to the Convention which would make it easier for individuals to challenge cases of systematic non-compliance.

39. Ms. GARCIA-PRINCE expressed the hope that the next report would follow the Committee's guidelines more closely. Without the oral report, it would have been difficult to appreciate the important changes that had taken place in recent years. The written report was too normative and did not provide sufficient empirical data.

40. It was her impression that there was a high level of organization and commitment among women in Icelandic civil society; it would be useful to have further information on non-governmental and women's organizations. She praised the Government for having incorporated provisions for gender equality into the Constitution and asked for additional information on the role of the executive branch in setting public policy for women.

41. Ms. SCHÖPP-SCHILLING said that it was difficult to respond to the report, since so much recent information had been conveyed only in oral form. She hoped that in future, if such a detailed supplement was to be provided, it would be submitted earlier and in written form. However, she was pleased that such great progress had taken place since December 1991, and was aware that Iceland had recently presented reports to the Beijing Conference and the Committee on the Rights of the Child. She regretted the lack of statistics in the written report, a situation which had been only slightly compensated for in the oral presentation. She recalled that General Recommendation No. 9 of the Committee requested gender-disaggregated data; she hoped therefore that the next report would provide more extensive statistics. She asked whether the written and oral reports had been published in Iceland and, if so, whether there had been any response from non-governmental organizations, and also whether women's non-governmental organizations had had any role in preparing the reports. She also requested more specific information on the steps which the Government planned to take to implement the commitments made at the Beijing Conference.

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42. Lastly, the report stated that human rights conventions had not been incorporated into Icelandic law, but in his oral report the representative of Iceland had said that recent amendments to the Constitution had expanded the provisions relating to human rights. She wondered whether that would make it possible to invoke the provisions of human rights conventions under Icelandic law.

43. Ms. KHAN said that she shared the general feeling that the oral report, while lucid, was so different from the written report that it was difficult to frame questions. She welcomed the amendment of the Constitution to prohibit gender-based discrimination, the extension of maternity leave to six months, and the fact that a system had been introduced for the periodic presentation to the public of the platforms for action of specific ministries. She wondered whether it was possible for the public to respond to, and make recommendations regarding, those platforms. She was also pleased at the appointment of a Children's Ombudsman, a post which did not exist in many countries. In view of the great emphasis placed on human rights in Iceland, she felt that the country should consider incorporating the Convention into its domestic law.

Article 2

44. Ms. GARCIA-PRINCE, speaking of the legal protection of the rights of women, said that the Committee needed more information on the Complaints Committee. The representative of Iceland had said that the Committee's decisions were not binding on the parties concerned. She asked what judicial mechanisms existed to protect the rights of women; for example, what court dealt with cases of violence against women, including domestic violence? The representative had said that most complaints received by the Committee dealt with labour violations, but other forms of discrimination existed. The fact that only about 14 complaints a year were received meant either that the status of Icelandic women was quite good, or that women were unaware of the Complaints Committee's existence or unwilling to have recourse to it. The fact that the Government had been surprised at the frequency of cases of domestic violence and the disparities between the wages of men and women showed that, despite efforts to ensure gender equality, a large cultural gap remained.

45. Ms. KHAN observed that Iceland was a party to the European Convention on Human Rights, a fact which empowered the European Commission of Human Rights to receive complaints from Icelandic citizens. She asked whether the Complaints Committee was accorded equal importance with regard to violations of women's rights. She also wondered whether the Ombudsman of the Althing, whose role was to monitor the administrative functions of the State and the municipalities, was responsible for monitoring the implementation of the Beijing Platform for Action or whether another mechanism existed for that purpose.

Article 3

46. Ms. SCHÖPP-SCHILLING welcomed the Government's decision to implement a four-year Plan of Action on Equal Rights for Men and Women. Iceland, with its homogeneous population, could serve as a laboratory for the success of such a plan. However, she felt that there was some ambiguity regarding the dates to be covered by the Plan of Action. She was sure that the Committee would like to

receive, at some future date, information on the results of the Plan's implementation.

Article 4

47. Ms. MÄKINEN asked whether the four-year Plan of Action included any mechanism for ongoing evaluation of its success, whether reports on the Plan would be made to Parliament and whether Parliament would have any input into the Plan's implementation. With regard to the Children's Ombudsman, she noted that there was no equivalent for the post of Equality Ombudsman which existed in Finland, Norway and Sweden. She asked whether there were any plans to institute such a post. She also wondered how the Government planned to deal with the gender disparities in wages.

48. Ms. AOUIJ noted that the law provided for temporary measures to improve the status of women and that it was not considered discrimination to make allowances for women on account of pregnancy or childbirth. She wondered whether there were any other temporary measures to promote the equality of women and whether many men were taking advantage of the recent amendment authorizing paternity leave.

49. Ms. AYKOR asked whether there was a specific national machinery for dealing with women's issues. Paragraph 77 of the report said that the Equal Status Council served as an advisory body, and the representative of Iceland had said that the Council formulated policies and operated under the Ministry of Social Affairs. She wondered whether the Council was, therefore, the designated national machinery for social equality. She asked whether the seven members of the Council constituted its entire staff, whether it was headed by a man or a woman, and whether it had a special budget for dealing with matters of gender equality. She felt that the provision calling for temporary special measures to improve the status of women was an important one and wondered whether the Council was empowered to formulate such measures with regard to gender-related wage discrepancies or to encourage increased representation of women in Parliament.

50. Ms. KHAN said that, in her opinion, the most positive step taken by the Government had been the new law under which the State provided compensation to victims of sexual violence. She asked whether statistics on such compensation were available, who was responsible for deciding whether compensation should be awarded, and what mechanism had been established for those decisions.

Article 5

51. Ms. CARTWRIGHT, expressing dismay at the indication in the report that the provisions of the Convention could not be invoked in the courts of Iceland, wished to know what types of educational programmes were offered to judges, lawyers and other officials responsible for ensuring that the principles of the Convention and other international treaties ratified by Iceland were observed. Such officials must be alerted to the impact of discrimination on women and particularly to the impact of violence against women, especially violence perpetrated by male partners or relations.

52. Ms. GARCIA-PRINCE asked what the Government was doing to combat gender stereotypes that led to discrimination.

53. Ms. BERNARD, commending the Government of Iceland for its efforts to combat violence in the family, asked whether there were any plans to establish Government-run shelters for rape victims, whether rape was a serious problem and whether the maximum penalty was ever imposed.

Article 7

54. Ms. BERNARD, referring to the new and comprehensive legislation on the reorganization of the judiciary, asked for information on the number of women judges and the percentage of women in the legal profession.

55. Ms. AOUIJ, referring to article 12 of the Law on the Equal Status and Equal Rights of Women and Men and noting that the quotas set by political parties had considerably increased the number of women in political life, asked why quotas had not been established for State institutions and whether the Equal Status Council could intervene in that regard.

56. Ms. SCHÖPP-SCHILLING requested more detailed information on the women's political party, particularly its philosophy, its political programme and the gender breakdown of the votes it had received. She would also appreciate information on the extent to which the increase in the number of women in Parliament, on committees and in executive positions had led to an increase in women-friendly policy-making.

Article 10

57. Ms. SCHÖPP-SCHILLING requested more statistics on education and information on courses in women's studies at both the university and school levels. She asked whether, in addition to human rights courses, teachers took courses on sexism; it was very important to change not only the curriculum but also teachers' attitudes. Information should also be provided on whether adult education programmes offered women who were re-entering the labour market courses in women's rights as well as vocational training.

58. The CHAIRPERSON asked whether the Government of Iceland planned to incorporate the Human Rights Covenants and the Convention into the human rights courses taught in schools and universities. That might lead to pressure by women for a change in Iceland's domestic laws to give greater force to international instruments.

Article 11

59. Ms. OUEDRAOGO asked for more detailed statistics, especially on employment. The Committee would have appreciated comparative tables which indicated clearly the occupations and posts where women were concentrated, so as to be able to assess their situation in the labour market. Referring to paragraph 123 of the report, she noted that additional information on the categories of women affected by unemployment would give the Committee a greater insight into the various strategies that needed to be adopted. She would also appreciate

information on any refresher courses or retraining programmes organized for women to enable them to improve their position on the job market.

60. Ms. MÄKINEN expressed surprise at the lack of statistics on the employment situation in Iceland. Noting that 80 per cent of married women were in the labour force, she asked whether 80 per cent of married women with school-age children were employed outside the home. She asked why both men and women had such unusually long working hours, why such a high percentage of women worked part time, and whether single mothers were able to work full time.

61. The representative of Iceland should indicate whether trade unions had been involved in the job evaluation exercise. The next report should provide details on how the evaluation had affected pay differences between men and women. Information would also be appreciated on the current availability of day-care facilities. She wished to know whether any surveys had been conducted on the value of women's unpaid work, and how housework was shared when both spouses worked very long hours.

62. Ms SCHÖPP-SCHILLING wished to know why the employment of married women had risen to such an extent and whether there was a correlation between reliance on overtime work and high rates of female unemployment. She asked whether wages differed markedly among different occupations and whether minimum wages were lower in occupations where women predominated. She wished to know whether the job evaluation exercise had placed emphasis on occupations where women tended to predominate and which involved working closely with people, and whether a higher value had been put on such jobs. Expressing surprise that a government agency had refused to participate in research on wage discrepancies that had been mandated by Parliament, she asked the representative of Iceland to shed some light on the matter and to describe any action taken in that regard. She would appreciate information on the working conditions of part-time workers, since women often constituted the majority of such workers, and on any government plans to extend the provision of child care to the whole day. She also wondered whether schools were open all day.

63. Ms. AYKOR asked how many hours of work constituted part-time employment, whether women held two part-time jobs at once, and whether there were gender-based disparities in the wages of part-time workers. She asked whether the Government envisaged any special measures to increase the employment options of women in rural areas by helping them to set up small-scale businesses.

The meeting rose at 1 p.m.



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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24 January 1996

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Fifteenth session

SUMMARY RECORD OF THE 291st MEETING

Held at Headquarters, New York,
on Thursday, 18 January 1996, at 3 p.m.

Chairperson: Ms. CORTI

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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE
CONVENTION (continued)

IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS
OF DISCRIMINATION AGAINST WOMEN (continued)

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Combined initial and second periodic report of Iceland (CEDAW/C/ICE/1-2)
(continued)

1. At the invitation of the Chairperson, Mr. Petursson (Iceland) took a place at the Committee table.
2. Ms. ABAKA said that the Committee would welcome information on the most common causes of mortality and morbidity among women in Iceland, including migrant women. It would also be useful to know what was the incidence of breast cancer among women in Iceland and what programmes were in place to educate them about the disease. She wondered what impact Iceland's liberal abortion laws had on women's health and whether any statistics were available on abortion-related deaths. Given the negative effects of that practice on the reproductive health of women, it would be useful to know whether there were any limitations on the number of abortions women were permitted to have.
3. Ms. SHALEV welcomed the efforts that were being made to revise the legislation governing maternity leave. More information was needed, however, on the public subsidies that were provided for health services, including the supply of contraceptives, abortions, diagnostic tests for cervical and breast cancer, and hormonal treatment for menopausal and post-menopausal women. She wondered to what extent the public health system provided access to post-natal care, sex education and counselling for teenagers, as well as contraceptives for women and teenage girls. Moreover, it would be useful to know whether domestic and sexual violence was considered a public health issue and what reporting procedures were in place for health care professionals. She would also welcome information on whether women's health issues were included among the subjects of medical research in Iceland and on the availability of treatment for infertility. How widespread was the use of such therapies, how was the cost covered and were there any laws regulating such treatment? It would be helpful if the Committee could be provided with gender-disaggregated statistics on the incidence of HIV/AIDS and other sexually transmitted diseases, occupational health hazards and mental illnesses.
4. Ms. OUEDRAOGO said that it was important to provide the Committee with a detailed description of the programmes and policies specifically geared towards rural women. Information should be provided on the average income of rural women, whether they had access to maternal health services and whether the sexual health needs of women and girls were being addressed.
5. Ms. SCHÖPP-SCHILLING agreed that the lack of statistics made it difficult to assess the situation of rural women in Iceland. It would be interesting to know, for example, how many women between the ages of 16 and 64 were classified as rural women, how many of them were homemakers, farm workers, or both. Was there any hidden or systemic discrimination against rural women? What kind of jobs were available to rural women, particularly those who were single? Were

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rural women working with their spouses covered by their husband's or their own social security? Additional information was also needed on the situation of women living in towns with populations of just over 200, including their prospects for earning a living outside of the home.

6. Ms. CARTWRIGHT suggested that future periodic reports should provide more specific information under the various articles. She wished to know whether women in Iceland enjoyed the right to inherit land and other property and what were their rights upon the dissolution of their marriage.

7. Ms. BERNARD sought clarification of article 7 of the Marriage Act which provided that a man and a woman could enter into marriage when reaching the age of 18. It would be useful to know whether persons below the age of 18 could enter into marriage or whether the consent of the parents was required in such cases.

8. Ms. SCHÖPP-SCHILLING asked whether the unit of taxation was the family or the individual.

9. Mr. Petursson (Iceland) withdrew.

IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (continued)

10. Ms. ABAKA, reporting on the forty-seventh session of the Subcommission on Prevention of Discrimination and Protection of Minorities, said that the issues considered by the Subcommission included the new international economic order and the promotion of human rights, the role and equal participation of women in development, the implementation of the human rights of women, and communications concerning human rights.

11. A number of resolutions and decisions adopted by the Subcommission were of particular interest to the Committee. They included resolution 1995/5 on the situation of human rights in Rwanda, which, inter alia, appealed to the Government of Rwanda and the international community to provide, with the collaboration of the Organization of African Unity, all the assistance needed for the establishment of a State governed by the rule of law and for the reconstruction of the country in conformity with the decisions and the interests of the people of Rwanda; resolution 1995/14 on systematic rape and sexual slavery during periods of armed conflict, which invited the Special Rapporteur on that topic to submit a working paper to the Subcommission; and resolution 1995/20 on traditional practices affecting the health of women and children which recommended that the mandate of the Special Rapporteur on that topic should be extended for another two years. It was important for the Committee to develop a close working relationship with the Special Rapporteur. In that connection, it would be useful for the Plan of Action for the Elimination of Harmful Traditional Practices affecting the Health of Women and Children to be made available to the experts.

12. Also of interest were resolution 1995/26 on the implementation of the human rights of women and the girl child, which expressed the hope that the Committee would be integrated as soon as possible with the other human rights treaty

monitoring mechanisms and requested the Secretary-General to obtain the Committee's views on whether it would be desirable to have an advisory opinion on the value and legal effect of reservations concerning the Convention; and resolution 1995/32 on the effects on the full enjoyment of human rights of structural adjustment programmes. The latter recommended that the Commission on Human Rights should consider that question at its fifty-second session under the agenda item entitled "Question of the realization in all countries of economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights. The right to development was a human rights issue and the effects of structural adjustment programmes on women and vulnerable groups was therefore a legitimate preoccupation of the Committee.

13. Ms. GARCIA-PRINCE, reporting on the expert group meeting on the development of guidelines for the integration of gender perspectives into human rights activities organized by the Centre for Human Rights, said that the meeting, which took place in Geneva from 3 to 7 July 1995, had been attended by regional experts, non-governmental organizations and United Nations agency representatives.

14. The report of the meeting contained a conceptual framework which outlined the essential elements in the development of a gender-sensitive approach in the United Nations human rights activities and suggestions on how the framework could be applied. It referred to the main problems of using gender-sensitive instruments relating to violations of women's human rights, and raised the question of how to apply gender perspectives in missions designed to investigate the human rights of women. It offered guidelines on using the language of human rights and gender perspective, which had been one of the most important issues discussed by working groups at the Meeting. The working groups had also discussed methodology, and the need to develop minimum standards for applying gender-sensitive guidelines in the area of human rights and establishing the responsibility of States and institutions for violations of women's rights.

15. The Report contained comprehensive which could be made available systemwide for use by investigators. It was the first time an effort had been made to collect all the initiatives made by treaty bodies to interpret the question of women's human rights. It was also the first time that the real meaning and implications of the term "gender sensitive" had been properly explored. The Report would be an important reference document for the members of the Committee.

The meeting rose at 4.05 p.m.



Convention on the Elimination
of All Forms of Discrimination
against Women

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25 January 1996

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Fifteenth session

SUMMARY RECORD OF THE 292nd MEETING

Held at Headquarters, New York,
on Friday, 19 January 1996, at 10.15 a.m.

Chairperson: Ms. CORTI

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE
CONVENTION (continued)

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The meeting was called to order at 10.20 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE
CONVENTION (continued)

Combined initial, second and third periodic reports of Ethiopia (CEDAW/C/ETH/1-3
and Add.1)

1. At the invitation of the Chairperson, Ms. Haile-Michael (Ethiopia) took a
place at the Committee table.
2. Ms. HAILE-MICHAEL (Ethiopia), introducing the combined initial, second and
third periodic reports of Ethiopia (CEDAW/C/ETH/1-3 and Add.1), said that
although her country had signed the Convention on the Elimination of All Forms
of Discrimination against Women in 1981, the prevailing political situation had
not been conducive to its implementation. At the time of accession, the
Government had been engaged in a prolonged war that consumed some 60 per cent of
the national budget. It was only when a new transitional Government had come to
power in 1991 following the end of the civil war that a number of
socio-political and economic reforms had been undertaken. A democratic,
decentralized political system had been established, a new Constitution had been
adopted in 1994 and a federal Government had been formed in 1995. The current
democratic system of governance at the national, regional and local levels was
facilitating the emergence of an economic and social environment which had a
positive impact on the welfare of Ethiopian women.
3. The typical Ethiopian woman was impoverished, had no access to land,
technology, credit or health care and, in addition to repeated child-bearing,
had to perform arduous household and agricultural tasks. In response to that
situation, a series of social policy measures had been taken over the past four
years, including the establishment of a national women's policy which was
expected to go a long way towards creating conditions for the liberation of
women from economic, social and political backwardness, improving their living
conditions and enhancing their participation in the development process. All
other major social policies, including health policy and the new education
policy, had given priority to gender issues and were helping to create an
environment conducive to the overall improvement of women's living conditions.
4. The Government was committed to the advancement of women because that was
central to the advancement of Ethiopian society as a whole. In that regard, a
Women's Affairs Office had been established within the office of the Prime
Minister to serve as focal point for the formulation, coordination and
implementation at the national, regional and sectoral levels of the Government's
national policy on Ethiopian women, the objectives of which included creating
conditions that would enable women to participate on equal terms with men in the
economic, political and social life of the country by eliminating prejudices and
customary and other practices based on the idea of male supremacy; facilitating
women's equal access to basic social services, and reducing women's workload
through the provision of technology; and enhancing the status of rural and
nomadic women by addressing their educational and development needs.

5. Several advances had been made in addressing gender disparities. The new Constitution, especially its article 35 on women's issues, reflected a strong commitment to the principles of the Convention, which had, moreover, been translated into Amharic and distributed widely. Eighteen members of the 548-member constituent assembly had been women, and 13 of the 548 seats in the new Parliament were held by women. A committee on equality for the advancement of women had been established in Parliament to monitor the promulgation of laws that promote women's rights.

6. The devolution process had led to the election of an impressive number of women deputies at the local level, where the active and full participation of all members of the community in the identification of needs and the formulation and implementation of programmes and projects to meet those needs was encouraged. In the urban dwellers' associations, where most community matters were decided, two thirds of elected officers were women, having been found to be less corrupt than men and more likely to attend to their constituents' needs. Women parliamentarians were in the process of establishing a parliamentary union that would serve as a potential ombudsman for women, as well as a channel for gathering information that would help in setting priorities and drafting bills to be forwarded to Parliament by the committee on equality.

7. Ethiopia had accepted the Beijing Platform for Action without reservation and was focusing on human development and poverty reduction. Its rural-centred development programme envisaged the expansion of education, health care and drinking water supply in rural areas, and the reduction of unemployment and the expansion of basic social and economic infrastructures in urban areas. Women's affairs focal points at the national, regional, local and community levels would help to ensure the implementation of comprehensive development programmes that incorporated gender concerns. Regional and local women's affairs offices, departments and units would compile gender-specific statistics in order to monitor the impact of development programmes on girls and women.

8. Efforts were being made to institutionalize a multisectoral approach, starting from the community and going up to the central level and involving the public, private and donor sectors, as well as women themselves. Women's voluntary associations were instrumental in promoting the active participation of women in order to enable them to benefit from development efforts. However, despite the existence of political will, Government commitment, official policy and proper institutional arrangements, achieving the goals of the national programme of action would require a massive outlay of financial resources. The Government was placing its hopes in the donor community and trusted that the Committee would assist her country's efforts by providing material, moral and technical support.

9. The CHAIRPERSON noted that, despite a host of problems such as wars, natural disasters and ethnic frictions, Ethiopia's Government had ratified the Convention and other human rights instruments immediately. She commended the Government for having accepted the Beijing Platform for Action without reservation. The Committee would make a special effort to identify areas where international assistance was required, since Ethiopia's economic difficulties clearly could not be overcome without such assistance. The figures on women's political participation, especially at the local level, demonstrated that

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democracy was gradually taking root and flourishing in Ethiopia. In her view, the most difficult task facing the Women's Affairs Office was the realization of de facto equality. However, with the commitment of women like the Minister for Women's Affairs, she was confident that Ethiopia would succeed in improving the situation of women. In that regard, the Government should, to the extent possible, implement a policy of compulsory education.

10. Ms. ABAKA agreed that it was encouraging that the Government of Ethiopia had approved the Beijing Platform for Action without reservation and had made concrete commitments to implement it. It was to be hoped that, with the involvement of women inside and outside the Government and with the help of the international community, Ethiopia would be able to fulfil those commitments.
11. While it was laudable that Ethiopia had translated the Convention into one local language, Amharic, she asked how widely that language was spoken, since Ethiopia had at least 60 other languages.
12. The reports were not structured according to the Committee's guidelines; Ethiopia might do well to seek technical assistance in preparing its next report.
13. Since Ethiopia was linguistically and ethnically diverse, decentralization was a key to enabling people at the local level to participate in governing the nation. However, it appeared that conflicts had begun to break out between ethnic groups; she asked whether any policies or measures were in place to avoid a situation such as that which had developed in Rwanda and Burundi. Many opposition parties were reported to have taken up arms, with the result that the danger of internal conflict was very great. She asked what was being done to achieve reconciliation between the Government and opposition political parties.
14. Ms. BERNARD commended the frankness and honesty of the report; while the original report (CEDAW/C/ETH/1-3) did not conform to the Committee's guidelines, some attempt had been made to abide by those guidelines in the addendum. That approach should be borne in mind for the next report.
15. It seemed that the main problems inhibiting development in Ethiopia were poverty, deep-rooted traditional practices and customs, and the ravages of 30 years of civil war. The new Government faced a daunting task in its efforts to eradicate poverty; in order to eliminate traditional practices tied to the subservient role of women, aggressive educational programmes would be needed to change people's attitudes. She hoped that the Government would embark on such programmes as soon as possible in order to accelerate the advancement of women. Education should also include re-educating men, so as to overcome traditional ideas about the inferiority of women.
16. She commended the Government of Ethiopia for showing the political will to improve the status of women by ratifying the Convention and filing reports; financing from international funding agencies would clearly be needed as well.
17. Ms. AOUIJ said that the picture painted in Ethiopia's reports was very sombre; Ethiopia was home to one of the oldest civilizations in the world, but was now suffering from all the misfortunes experienced by the African continent,

aggravated by the political situation. To its credit, the Government of Ethiopia was trying to emerge from that situation. Development, in all its dimensions, was the primary task. Poverty must be eradicated so that everyone could share equally in the benefits of economic growth. To that end, there must be a true partnership between men and women; it must be ensured that women had access to basic services such as education, health and family planning, especially in rural areas. With policies for the education of women and firm control of population growth, Ethiopia would have a chance to succeed.

18. The State on its own could not solve all the problems; women's organizations, non-governmental organizations and national and international institutions must all coordinate their efforts to strengthen Ethiopia's economy and hence the situation of women. The Women's Affairs Office must work for the integration of women in development and the eradication of all discriminatory measures and laws which kept women in a situation of extreme inferiority. The existing laws were a negation of women's human rights. Women must redouble their efforts to promote development and improve their de facto situation.

19. Ms. KHAN said that the problems of Ethiopian women were basically the same as those of women in most of the least developed countries; women were always the first victims of drought, famine and civil war.

20. Although the Government of Ethiopia had signed the Convention in 1981, it had taken a long time to submit a report and had not followed the Committee's guidelines. However, it was encouraging to note the frank statement in paragraph 33 of the report that a major problem was that women were not taken seriously and their concerns did not have visibility, with the result that inappropriate policies, programmes and projects were developed. That problem was extremely common. With greater political participation by women in Ethiopia, particularly at the local government level, it was to be hoped that the situation would improve. More women were needed at the policy-making level, to ensure that women's concerns were taken into account.

21. The reports contained very little data on the situation of women; she hoped that Ethiopia would try to generate more data.

22. She agreed that political will alone was not enough and that resources were also needed; that point had been stressed by other countries in international forums and at the Fourth World Conference on Women.

23. Ms. SCHÖPP-SCHILLING said that, given all the other problems facing the Government of Ethiopia, she was impressed that it had been able to produce the reports. She hoped that the next report would conform to the Committee's guidelines, since that was helpful in developing a constructive dialogue. The Government of Ethiopia might consider seeking technical assistance from the United Nations for the preparation of its next report.

24. She was overwhelmed at the difficulties faced by Ethiopian women, and by the Ethiopian Government in trying to improve the situation. The multiplicity of ethnic groups added to the problem; she hoped that mechanisms would be found for keeping the peace and mainstreaming policies at the national level for the benefit of the various ethnic groups.

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25. She commended the Ethiopian Government's recognition that the situation of women was a decisive factor in national, regional and community development, and its decision to establish a women's affairs office and focal points for women in strategic government agencies. She agreed that emphasis must be placed on combating poverty. The frankness of the report was the first step towards assessing the situation of women realistically and developing appropriate policies and strategies. She endorsed the need for moral, economic, financial and technical support from Governments and international agencies. At the Fourth World Conference on Women, her Government had committed a large sum of money to helping developing countries, and she would try to find out whether assistance would be given to Ethiopia.

26. It might be helpful to the Ethiopian Government if the Committee were to ask for an interim report, on an exceptional basis, so as to evaluate what had been done and give Ethiopia visibility within the United Nations system.

27. Ms. BARE commended the Government's openness in discussing the situation of women in Ethiopia. She was impressed by the section concerned with violence against women, since all too often domestic violence went unrecorded and unrecognized. The Ethiopian Government had made the bold statement that the most daunting task was that of challenging local customs and traditional practices that encouraged violence against women, and changing a public attitude that tolerated violence; that statement suggested that strategies were being formulated by the Women's Affairs Office.

28. The report should provide an indication as to what proportion of the national budget went to poverty elimination and education. Resources might need to be set aside for monitoring the progress made.

29. The representative of Ethiopia had indicated that more women were being elected to public office. Since women's ability to influence decisions started at the local level, it was important for women to be empowered at that level.

30. Ms. OUEDRAOGO said that the report demonstrated the political will of the Ethiopian Government to improve the status of women. The development of vertical programmes without the involvement of those concerned was a common problem; the Ethiopian Government and the Women's Affairs Office must promote solidarity among women and genuine political mobilization, so as to ensure that women's priorities were taken fully into account. The programmes that were developed could be fully successful only if they involved women as actors and beneficiaries. Political mobilization would give women and women's associations and movements an opportunity to take charge of their own destiny.

31. Ms. KHAN asked whether the Convention to which Ethiopia had acceded without reservations, could be invoked in courts of law.

32. Ms. GARCIA-PRINCE congratulated the representative of Ethiopia for the honesty and frankness of the report, which made it clear that Ethiopian society was highly structured and extremely authoritarian in terms of the gender roles of men and women. Changing the situation would be a long-term process and would require the creation of a new culture; a strategic approach to the problem was needed. Although new laws did not of themselves change reality, they provided a

very important benchmark for the Government and the nation. She wondered whether there was any legislative programme in the Ethiopian Parliament for modifying the highly discriminatory nature of most of the country's legislation, and what concrete measures were being or would be implemented. It would be totally incongruous for the Government to have ratified the Convention and accepted the Beijing Declaration and Platform for Action, while failing to take action to remedy the de facto situation described in the report, especially the extremely grave violations of women's human rights which were taking place, including the practice of female circumcision. The Government should provide additional information on what it planned to do about that problem, which lay at the very heart of women's human rights.

33. Ms. SCHÖPP-SCHILLING noted that, given the coexistence of three bodies of law - international, national and customary - in Ethiopia, it must be very difficult for the Government to plan centralized policies for overcoming certain traditional and customary practices. She wondered whether any attempt was being made, at the level of the central Government, to compile comprehensive information on the three types of laws; certain international foundations or funds could be of assistance in conducting the necessary research for that purpose.

34. Ms. OUEDRAOGO noted that the report described a number of different national mechanisms for improving the situation of women. Such an approach was entirely appropriate, given the multisectoral nature of the problem. She wondered, however, whether the necessary coordination was taking place to avoid duplication and overlapping.

35. Ms. ABAKA said that the adoption of affirmative action at the level of university admissions was a positive step, but wondered whether it would not be preferable to extend such a measure to all levels of education. If girls had difficulty in gaining access to primary and secondary education, many of them would never even reach university level. Given the extremely widespread incidence of prostitution, she wondered whether any training schemes existed to enable women to gain access to alternative sources of income. Many women were forced into prostitution because they had no other means of survival; measures to improve the situation in that respect would also help to reduce the spread of HIV/AIDS.

36. Ms. KHAN asked what had been the practical impact of the national policy on Ethiopian women and what mechanisms existed for coordination among the women's units and departments created in a number of Government ministries.

37. Ms. BUSTELO GARCIA DEL REAL asked whether the Government and non-governmental organizations were making practical use of the Convention, the Committee's general recommendations (particularly General Recommendation No. 19) and the reports of the Special Rapporteur on the elimination of violence against women; whether the Government was cooperating with the Special Rapporteur and providing her with the necessary information on the situation in Ethiopia, including the persistence of traditional practices harmful to the health of women; and whether the Special Rapporteur had been invited to visit Ethiopia. She noted that the Special Rapporteur's report had shown that rape, particularly of young girls, and domestic violence were still widespread in Ethiopia, as in a

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number of other countries. She wondered whether any federal plan had been put in place to tackle the problem of that type of violence. Such a plan would, of course, have to be closely coordinated with programmes for education, information and women's health. She also wished to know whether the Government's efforts to tackle the problem of violence against women included educating such groups as doctors, nurses, schoolteachers, judges and the leaders of ethnic groups and, if so, whether any progress had been achieved.

38. She would welcome additional information on the problem of traffic in women and exploitation of the prostitution of others. On a more optimistic note, she hoped that if the country's economic growth continued and women participated increasingly in the decision-making process, the Government's next report would contain more encouraging news.

39. Ms. GARCIA-PRINCE said that it was very important that the Government should provide additional information on its initiatives to modify patterns of socio-cultural behaviour. The Government's report, as well as those of non-governmental organizations, made it clear that women were treated as objects in Ethiopia and that their wishes and rights were not taken into account. Many were forced to engage in prostitution as the only alternative to starvation for themselves and their families. The Government should explain what steps were being taken, or what plans existed, to tackle a socio-cultural situation which relegated women to the pitiful status apparent in the report. The scale of the problem was so enormous that it was hard to imagine how it could be tackled, but education was certainly an essential condition for the necessary fundamental changes.

40. Ms. ESTRADA CASTILLO said that, in a country where discrimination and gender stereotypes were so deeply rooted in the popular mentality, constant, massive education campaigns were needed to achieve the necessary changes.

41. She noted that there were some women in Ethiopia who occupied important positions. Although that fact might seem to contradict the statement in the report that women were not taken seriously, the reality was that only a few women, who belonged to a privileged minority in the capital city, had access to such positions.

42. Since Ethiopia had ratified the Convention and other human rights instruments, it was imperative that the Government should take decisive action to put a stop to the mutilation which was still being inflicted on 90 per cent of the country's women. It was a universal principle of law that there were crimes of omission as well as crimes of commission, and anyone who failed to denounce a crime or take effective measures to prevent it was an accessory to it. She asked what was being done by educated, privileged women to put pressure on the Government to take urgent measures to eradicate the crime of genital mutilation of girls. Had those women formed any organizations for that purpose and did those organizations have any power? Had the Government taken any measures, issued any declarations or organized any campaigns to curb that crime? Was it in fact clearly and specifically defined as a criminal offence in Ethiopia and, if so, was anyone ever prosecuted and punished for it?

43. The CHAIRPERSON said that the practice of genital mutilation of girls was such a deeply rooted tradition in a number of African countries that a legal approach to the problem would not suffice. In communities where the practice existed, mothers considered it normal and desirable that their daughters should be subjected to it. It was therefore essential to teach women that it was not only unnecessary, but cruel and unacceptable; the education of women by women must be a major part of the solution, and she wondered what initiatives were being taken to begin that process.

44. Ms. AYKOR said that traffic in women and girls and prostitution were the main areas in which violence against women must be countered. With reference to the statement in the report that many schoolgirls were sexually harassed by schoolteachers, she noted that most prostitutes in Ethiopia were schoolgirls attempting to earn money for immediate necessities. She asked whether the Women's Affairs Office had instituted any policies for changing that state of affairs and the underlying attitudes towards girls. In particular, she wished to know how prostitution was organized, whether it was legal and, if so, whether there were attendant health and rehabilitation policies. One factor related to the prevalence of prostitution seemed to be the low age of marriage, which should be raised.

45. Ms. BARE asked what steps were being taken to rehabilitate prostitutes by providing them with training for alternative livelihoods and helping them to avoid disease. Women's cooperatives could perhaps play a role in that regard.

46. Ms. BERNARD asked what percentage of legal practitioners were women and how many female judges there were.

47. Ms. GURDULICH DE CORREA said that much needed to be done in Ethiopia. The main priority for the Government was to eliminate poverty and to improve the political representation of women. The low level of education was also a major problem. She asked what prospects there were for the enactment of legislation requiring a minimum level of representation for women at all decision-making levels. Women must participate in order for women's problems to be solved.

48. Ms. GARCIA-PRINCE said that education was of primordial importance. The high level of illiteracy among Ethiopian women was unacceptable, while efforts to combat it seemed to have been sporadic. The school drop-out rate among girls was also high, and she asked what measures were being taken to reduce it. There was also a need for training for work, as part of a concerted education policy.

49. Ms. HARTONO said that the situation in Ethiopia was such that it was unrealistic to expect rapid change. In her own country, the Government had sought to advance the status of women by incorporating women's issues into national policies. Social change could be brought about only through education by mobilizing women as agents of change. With reference to the incidence of sexual harassment in schools, a compulsory programme of education in gender equality was needed to address the issue: relationships between men and women must be changed. Education must also embrace family planning and nutrition. Peace and stability were prerequisites for all such action.

50. Ms. MUÑOZ-GOMEZ said that the situation in Ethiopia was distressing. Education was important for addressing the high level of illiteracy, improving the school drop-out rate, and changing stereotypes. In her country, the Government had instituted a programme whereby children could absent themselves, briefly, from school in order to attend to family duties, such as harvesting, and then return and continue their studies. The United Nations Children's Fund might be able to provide assistance to Ethiopia in that regard.

51. Ms. CARTWRIGHT said that the Ethiopian Government must make a special effort to promote education for girls and to encourage women's participation in society. Only by improving women's ability to support themselves and participate, in particular through the promotion of literacy and legal literacy, would it be possible to solve the formidable problems facing women in Ethiopia.

52. Ms. OUEDRAOGO said that much remained to be done to make education freely available in Ethiopia. In fact, the western model of education was not suited to Africa, where many countries were now attempting educational reforms. Education represented the way forward, notwithstanding the lack of resources. In her country, with the assistance of the United Nations Population Fund, efforts had been made to tackle illiteracy through informal education systems stressing information, education and communication. Emphasis had been placed on programmes with cultural, nutritional and training components, so as to address lack of awareness in such basic areas as hygiene and to enable girls to lead an active life in society. Such policies would help to make women economically independent in a context of social mobilization.

53. With regard to female circumcision, it should be noted that many of the people involved thought that the practice helped, rather than harmed, girls. In the face of such attitudes, a dialogue must be attempted and an effort made to understand prevailing views in order to change them. A coherent approach, with support from international agencies, must also provide for penalties.

54. It was important to look at the real situation, particularly that of rural girls, who had to work. Even such modest endeavours as providing training for maids could help to stop the exploitation of rural girls. The key lay in education and training at an informal level.

55. Ms. KHAN said that education was the most important issue and that affirmative action programmes were needed to encourage the enrolment and retention of girls in schools. In her country, such policies had been tried quite successfully; food had been distributed to parents to encourage school attendance by girls and Government resources had been provided to schools where the percentage of girls in attendance equalled that of boys. Villages where illiteracy had been eradicated were eligible for additional Government funding.

The meeting rose at 1.10 p.m.



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.
GENERAL

CEDAW/C/SR.293
25 January 1996

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Fifteenth session

SUMMARY RECORD OF THE 293rd MEETING

Held at Headquarters, New York,
on Friday, 19 January 1996, at 3 p.m.

Chairperson: Ms. CORTI

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE
CONVENTION (continued)

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The meeting was called to order at 3.15 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE
CONVENTION (continued)

Combined initial, second and third periodic reports of Ethiopia (continued)
(CEDAW/C/ETH/1-3 and Add.1)

1. At the invitation of the Chairperson, Ms. Haile-Michael (Ethiopia) took a place at the Committee table.
2. The CHAIRPERSON invited members of the Committee to pose questions to the representative of Ethiopia on individual articles of the Convention.

Article 9

3. Ms. ABAKA noted that the situation outlined in paragraph 71 of CEDAW/C/ETH/1-3 contravened the provisions of article 9 of the Convention. The laws should be changed as a matter of urgency in order that men and women should enjoy the same legal protections in respect of nationality.

Article 11

4. Ms. MAKINEN said that according to both written and oral reports, the majority of Ethiopian women lived in rural poverty and early marriage limited their employment possibilities. Noting that many income-generating projects were under way in the informal sector, she wondered whether any consideration had been given to other types of plans involving the informal sector.

Article 12

5. Ms. BARE said that, if women were to be empowered, it was essential to improve their health status. She asked what concrete measures the Ministry of Health was planning in order to provide health and family planning services to women and girls and how much of the government allocation for health would be directed to primary health care.
6. Ms. KHAN inquired whether the National Committee on Traditional Practices had any specific policy on female genital mutilation, and whether a woman could receive legal assistance if she refused to have her daughter subjected to the operation. She also wondered how that practice related to the Convention on the Rights of the Child.
7. Ms. ABAKA said that it was unfortunate that preventive health-care programmes and traditional healing were considered inferior to modern medicine, as stated in paragraphs 41 and 42 of CEDAW/C/ETH/1-3. Preventive medicine was more important than curative, and it was important that people should understand that. Given that few people had access to modern medicine, it was unfortunate that the work of traditional healers should be held in little esteem, for with proper training in hygiene and improved supervision, such healers could provide much-needed care in rural areas.

8. Turning to paragraph 45 of that report, the issue of promiscuity was a sensitive one, but its harmful effects, especially the spread of AIDS, must be discussed.

9. Ms. ESTRADA CASTILLO inquired whether the State had allocated financial resources for birth control and family planning programmes and whether any effort had been made to establish such programmes in rural areas. She also wondered if protection was provided to girls who, since they married young, might find themselves divorced at an early age, in the event that they were rejected by their families and forced into prostitution.

10. The CHAIRPERSON, speaking in her personal capacity, noted that, although the practice was illegal, many abortions were performed nevertheless, often in unsafe conditions, contributing directly to the high death rate among women. She wondered whether there was any talk of change in government policy towards abortion. Noting that the maternal mortality rate was high, she wondered whether any urgent measures were planned to reduce the dangers of childbirth.

11. Ms. SHALEV noted that, in the 1993 health and population policy, gender issues had been prioritized, and requested more details on the content of that policy and the priorities for implementation. With regard to violence against women, health-care providers were often among the first to observe its effects, and they should be included in the sensitization programmes currently aimed at police officers and lawyers.

12. In her view, female genital mutilation was a primary health-care issue. Efforts to promote and protect women's rights should be focused on the most vulnerable women - infant girls. Given that women were the ones who perpetuated the traditional practice, it might be helpful, when planning a strategy, to try to find out why they allowed it to continue.

13. Ms. SCHÖPP-SCHILLING inquired whether training programmes for traditional healers included any awareness of general nutritional practice. The World Health Organization could be a source of funding for research and collection of data on traditional healing at the national level.

Article 14

14. Ms. KHAN, noting that the bulk of agricultural work was done by rural women, asked whether women had the right to own land and access to credit.

15. Ms. OUEDRAOGO said that she would have liked to see more detailed information on women's access to credit. Setting priorities and formulating a strategic approach was also needed, in order to consolidate women's economic power. She inquired whether informal rotating credit associations existed in Ethiopia and whether such activity had intensified. Greater focus was required on family education programmes, because in rural areas, the traditional solidarity against poverty was evaporating.

16. Ms. BARE said that she had been informed by an independent source that lack of capacity at the middle management level and excessive bureaucracy were hampering implementation of the rural development policies of the transitional

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Government. She wondered what was being done to provide management training and to decentralize authority to the rural areas.

17. She requested more information on the actual situation of the displaced women whom the Government was resettling.

18. Ms. KHAN drew attention to an Amnesty International report which stated that the transitional Government had failed to put an end to human rights abuses in Ethiopia, even within its own ranks. The Committee would welcome clarification of the alleged human rights abuses and, in particular, of the reports of extrajudicial killings and torture.

19. Ms. BERNARD noted that, upon termination of a marriage, the law provided that each spouse should select an equal number of arbitrators to determine the balance of property owned. She wondered whether there was also a formal civil court system in which matters concerning matrimonial property could be ventilated or whether the system of arbitrators was an alternative to the court system.

20. Ms. ESTRADA CASTILLO said that, given the prevalence of rape in Ethiopian society and the subsequent rejection of the victims by their husbands, it would be useful to know what protection, if any, was provided to victims under the law and what was the State's response to the situation of rape victims who were rejected by their husbands. She also wished to know whether the law provided for recognition and care of any children issued from such acts, what the maximum punishment was for rape, and whether the punishment varied depending on whether the victim was an adult or a minor, married or unmarried.

21. Ms. KHAN said that she was confused by the apparent contradiction between the fact that although 65 per cent of women were reported to be aware of contraceptive methods, only 3 per cent were covered by family planning programmes. Did that reflect a cultural preference for large families, a lack of access by women to family planning programmes, or a desire on the part of men to have many children? It would be particularly useful to know what was the extent of coverage of family planning services in rural areas.

22. With respect to article 16, she noted that the new Constitution recognized different groups based on ethnicity, language and religion and that each group enjoyed the right to self-determination. She wondered whether that division was connected to the fact that there were three types of marriage, each of which had a different legal age requirement. It would be helpful to know whether each recognized group was governed by a different set of laws or whether the legislation in that area was uniform throughout the country. Was polygamy, for example, practised by Muslims only or by all population groups and was the practice of genital mutilation confined to certain ethnic or religious groups?

23. Ms. CARTWRIGHT welcomed the provisions of article 35 of the new Constitution which stated, inter alia, that women were entitled to equality with men in marriage. Given the tradition of women's subservience to men, who were supposed to protect them and guide their conduct, it would be interesting to know whether the new constitutional provisions had led to any real change in the notion of the husband as the sole head of the family.

24. Ms. HAILE-MICHAEL (Ethiopia) thanked the Committee for the sympathy with which it had received the report on the situation of women in Ethiopia. The Government of Ethiopia recognized the importance of gender equality to the achievement of lasting peace. Having suffered for many years, Ethiopia was eminently qualified to champion the cause of respect for human rights. Indeed the devolution of power from the centre was part of an attempt to ensure the widest possible participation by the various ethnic groups in Ethiopia who had long been excluded from any role in national life. Just because Ethiopia recognized the rights of the various ethnic groups did not mean that the country was being dismembered. Rather, the Government recognized the reality of the diversity of Ethiopia's people and was seeking the partnership and support of men and women of all ethnic and political groups. Her delegation would attempt to answer at a later meeting the various questions put by the members of the Committee.

25. Ms. Haile-Michael (Ethiopia) withdrew.

The meeting rose at 4.25 p.m.



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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CEDAW/C/SR.294
26 January 1996

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Fifteenth session

SUMMARY RECORD OF THE 294th MEETING

Held at Headquarters, New York,
on Monday, 22 January 1996, at 10 a.m.

Chairperson: Ms. CORTI

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE
CONVENTION (continued)

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The meeting was called to order at 10.20 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE
CONVENTION (continued)

Combined second and third periodic reports of Cuba (CEDAW/C/CUB/2-3 and Add.1)

1. At the invitation of the Chairperson, Ms. Ferrer Gómez (Cuba) took a place at the Committee table.

2. Ms. FERRER GÓMEZ (Cuba), introducing the combined second and third periodic reports of Cuba (CEDAW/C/CUB/2-3 and Add.1), said that Cuba had been the first country to sign the Convention and the second to ratify it. She was pleased to have an opportunity to demonstrate the results of a policy which had been begun by her Government in 1959 and to which it attached high priority. Although much remained to be done, it was undeniable that a fundamental change had taken place and that there had been steady progress in the status of women, who were a vital part of Cuban society.

3. The Committee needed to be aware of the complex circumstances faced by Cuba over the past five years in order to understand the circumstances in which Cuban women were currently living and to appreciate how, despite its difficult situation, Cuba had managed to continue the momentum towards full equality. The people of Cuba had shown utter determination not to be defeated by shortages and external pressures and to preserve the country's sovereignty and independence during one of the most difficult periods in its history.

4. In 1989, 85 per cent of Cuba's external trade had been with the Soviet Union and other socialist countries, as a result of a relationship instituted 30 years previously when the Government of the United States had responded to Cuba's Revolution with a policy of aggression intended to maintain Cuba as a natural colony of the United States. For more than three decades, the solidarity of the socialist countries had offset the impact of the United States blockade, and the vast majority of Cuba's development plans had been based on their cooperation.

5. In 1990, when Cuba had been attempting to re-enter the world economy and the cold war was allegedly at an end, the United States Government had stepped up the blockade in an attempt to bring the Cuban people to its knees. The blockade was the worst form of violence that could be inflicted on Cuba's women; it was a deliberate aggression that violated the most elementary rules of international law and the principles of the Charter of the United Nations. Moreover, it was not confined to bilateral relations. Veiled or open threats were made against companies and individuals from any country who attempted to invest in Cuba or to engage in any kind of commercial, financial or technological exchanges with it. New measures to strengthen and internationalize the blockade, in violation of the sovereignty not only of Cuba but of other States, had recently been proposed in the Congress of the United States. The intensification of the blockade had caused a steady deterioration in the daily food intake of the Cuban people, affecting pregnant women and children in particular, and in the overall standard of living.

6. She was not attempting to downplay or deny the mistakes which Cuba had made in the management of its economy: the Government had in fact begun a process of rectifying those errors in 1985, in an attempt to achieve greater efficiency. After a drop of almost 35 per cent in its gross domestic product since 1989, Cuba had at last managed to end its recession in 1994, and in 1995 had achieved a growth rate of 2.5 per cent. It would therefore be unjust to blame the Revolution for the current difficulties, which were caused largely by external factors.

7. She apologized to the Committee for the failure of the second and third periodic reports to follow the Committee's guidelines. The reports attempted to provide a broad overview of the current situation of Cuban women in order to expand on the initial report and to answer the questions put by the Committee in 1983.

8. The elimination of all forms of discrimination against women remained an essential goal and a permanent policy of the Government of Cuba. Part of the enormous challenge faced by the Government over the past five years had been to ensure that women were not discriminated against when the necessary adjustments in the Cuban economy were made, and to protect all their rights and continue working for their advancement. Practical realization of the principle of equality was subject to constant analysis and had been evaluated in depth at the sixth congress of the Federation of Cuban Women held in March 1995. Some 2 million women had participated in the preparatory discussions held in neighbourhoods and places of work and study. As a result of the congress, the National Assembly of People's Power was to consider a number of proposed improvements to the Family Code, and a number of efforts were under way to increase women's awareness of their legal rights.

9. Cuban women participated actively in the country's political, economic, cultural and social life and exercised their human rights and fundamental freedoms on an equal basis with men. In its attempts to overcome the current economic crisis, the Government had applied none of the drastic adjustment policies which, in other countries, had abolished the most basic rights of vast sectors of the population by closing down factories, schools and hospitals, privatizing major national assets and lowering the living standards of millions of people. The Government had decided that whatever was available should be shared equally among everyone; prices had been frozen, no child had been left without a school or classroom without a teacher, and not a single hospital had been closed. All shortages were shared equally. The situation had been thoroughly explained to the population, the vast majority of whom were prepared to play their part in the necessary efforts. The Government had at all times listened to public opinion, and women had been actively involved in the discussions which had led to the necessary broad national consensus. In Cuba, there was genuine popular participation in government, and in that respect women exercised their rights fully.

10. As explained in the report, maternity leave with full pay had been increased to one and a half months before the birth and six months after it. If the mother decided to spend an additional six months with her child, the law guaranteed her right to keep her job, but without pay. That measure was intended to promote a longer period of breastfeeding, which could be beneficial

to the child's development. Children of working mothers could attend day nurseries from the age of six months, and mothers received subsidized milk and other proteins for their children, in addition to other food assistance.

11. The Ministries of Public Health and Higher Education, together with the Federation of Cuban Women, had continued to develop and promote programmes designed to alter socio-cultural behaviour patterns among women and men. A number of other initiatives were described in the report. Women made up 50 per cent of the country's voters. After the constitutional reform, direct elections had been held in March 1993 for the local and provincial authorities and for the National Assembly. Voter participation had been 98.7 per cent. Voting was not compulsory and was held by secret ballot; it was extremely easy to register to vote. Voters were called upon to elect the best candidates, without distinction of any kind. No one needed to have financial assets or campaign financing in order to run for office, and in order to be elected, each candidate had to receive at least 50 per cent of the votes cast. Cuba practised genuine democracy, based on the direct participation of the people in government decision-making and in the legislative process. Women took part in the formulation of government policy and their needs and wishes were taken into account on an equal basis with those of men.

12. The three reports so far submitted detailed the achievements of Cuban women in exercising their right to education. Despite great economic and political pressures, Cuba had been the first country in Latin America where women had attained and maintained high educational levels on a massive scale. Despite Cuba's current difficulties, the quality of education had not been seriously affected. The school attendance rate for children aged between 6 and 14 years was currently close to 99 per cent. Some 543,000 pupils and students were grant-assisted. Girls constituted at least 50 per cent of students at all levels of education, and 74.5 per cent at the pre-university level. For young children who were not enrolled in day-care centres, the Government was implementing a programme of informal early education. In higher education, 58 per cent of students were women and the number of female students entering non-traditional fields of study was increasing steadily; 61.2 per cent of students in the natural sciences and mathematics, 65 per cent of economics students and 68.6 per cent of medical students were women.

13. Incorporation in the workforce and access to technical and vocational training were fundamental rights enjoyed by women and men equally in Cuba. The Government had implemented its employment policy for women in close cooperation with the Federation of Cuban Women. Constant efforts were being made to ensure that women's participation in the labour force did not decrease and that their achievements were not eroded as a result of the current economic rationalization. Women made up 40.6 per cent of the total labour force, as compared with 38.7 per cent in 1989. No further increase would be possible in the short term, since greater economic efficiency would require workforce reductions. However, the fact that the female workforce was highly trained made women better able to adjust to the changes currently taking place in the field of employment.

14. The exceptional measures which the Government had had to take had left no worker without a livelihood. The temporary closure of factories and other

places of work had not left workers without an income or the expectation of employment. A policy of redistribution of the workforce to other, socially useful, activities had been implemented. Workers who were unable to find another job immediately were guaranteed an income equivalent to 60 per cent of their wages. Particular attention was paid to women who were their families' sole breadwinners. It was also important to promote retraining of the workforce for occupations where there was a labour shortage; women had also seized opportunities for self-employment.

15. The role of women in science and technology had been particularly important during the past five years; they made up 43 per cent of the workforce in that area, 53.6 per cent of them at the senior level, and 42 per cent of the country's research workers. In the country's four largest research centres, women made up 45 per cent of the workforce, 47 per cent of technicians and 25 per cent of managers.

16. Huge efforts had been made to avoid any reduction in the services which helped alleviate the burden on working families. Workers' and schools' canteens, old people's homes and centres, and day nurseries had continued to function, against tremendous odds. However, the increasing amount of time spent on transportation and on shopping and washing for the family had added to the burden of working women.

17. Public health was one of the most precious achievements of the Revolution. Women not only benefited from that achievement, but their professional and voluntary activities contributed to it. The average life expectancy of Cuban women was 77.6 years, and the infant mortality rate had dropped from 11.1 per 1,000 live births in 1989 to 9.4 per 1,000 in 1995. The pharmaceutical and biotechnology industries were highly developed, and health professionals were highly trained. Since human well-being was the focus of Cuba's economic and social system, defending those achievements had been of the utmost significance during the current period. The country had succeeded in preserving its high-quality health services, and no one had died for lack of medicine. However, there was a shortage of medicines; their supply was guaranteed to patients with serious medical problems and the population as a whole was being provided with vitamin supplements, but the supply of medicines and other health products was intermittent. Hospitals had managed to maintain an acceptable level of service thanks to the training and dedication of their personnel. Emphasis was being placed on preventive treatment and on controlling risk factors. However, shortages had led to a deterioration in the population's health and hygiene conditions and thus to an increase in the incidence of disease.

18. Major pharmaceutical companies and medical equipment and spare parts suppliers, which had traded with Cuba for years had recently informed the Government officially that they were unable to make deliveries because of prohibitions imposed by federal agencies in the United States, since they used United States inputs or patents for their products.

19. Regarding women's reproductive rights and health, the Government had promoted and firmly supported the documents adopted at the Cairo and Beijing Conferences. Women in Cuba were guaranteed the necessary education and health care and enjoyed freedom of reproductive choice. Contraceptives were

inexpensive in Cuba, since they were subsidized by the State, but there was currently a shortage of condoms and hormone preparations. Intra-uterine devices were widely available and were fitted free of charge at hospitals. With help from the United Nations Population Fund the Government hoped to open a modern factory for the production of oral contraceptives in 1996, which would help to meet current needs.

20. The Government and people of Cuba were working together to find new solutions for promoting the country's development while preserving the objectives of social justice, national independence and effective popular participation. The Government was determined to pursue its policies to enable women to exercise their right to equality fully and to build on past achievements. Cuban women were having to contend with increased difficulties and society as a whole must help to carry on the struggle.

21. Turning to the list of issues prepared by the Pre-session Working Group (CEDAW/C/1996/CRP.1), her Government felt that the follow-up to the Beijing Conference should be based on an integrated approach which included the coordinated implementation of all the outcomes of the major international conferences in the economic and social spheres held in the 1990s. Despite its current economic limitations, Cuba's representatives had participated in the entire regional preparatory process for the Beijing Conference, taking the position that the consensuses reached at previous conferences must be respected.

22. The Beijing Platform for Action did not present Cuba with any major challenges, since the main strategies that Governments were urged to adopt in the area of equality of access to the economy, education, health and legal recognition had already been implemented in her country. However, there were many areas, especially subjective areas, which must be given sustained attention if women were to exercise their rights effectively and break through the cultural and attitudinal barriers which continued to impede their progress. Accordingly, an extensive process of information and discussion of the commitments made in the Beijing Declaration and Platform for Action had been launched in her country. Women and society in general were participating in that process by proposing a variety of creative initiatives. Information and guidance had already been given to the staff of the Federation of Cuban Women, the national party mechanism responsible for the advancement of women in Cuba, on the outcome of the Conference and on the Platform for Action. Similar work had been done with officials from the main ministries involved in the implementation of the national plan. A national seminar on the implementation of the Platform for Action was to be held in April 1996 in cooperation with the UNDP office in Cuba.

Article 3

23. Legal action could be brought by women on grounds of discrimination and, if substantiated, could result in legal penalties. In the case of discrimination in the workplace, women could have recourse to one of the grass-roots organs of labour justice. If they disagreed with that organ's findings, they could go to the labour chamber of the municipal or provincial court. They could also have recourse to the Commission for Women's Employment, whose functions included

ensuring that the reorganization of the labour force did not result in discrimination against women.

24. Under the Family Code and Decree-Law No. 154, women could obtain a divorce through a notary, without requiring legal representation, in cases of divorce by mutual consent between the parties. In other cases, women could obtain the services of a lawyer at a modest price from a group legal practice, especially if they had a low income or none at all, in which case they were generally covered by social assistance benefits.

25. In cases of violence, the woman went to the relevant authorities with a documented report of her injuries, which was provided free of charge by the public health services; she could also be accompanied by any witnesses. In such cases, the police investigator was responsible for bringing proceedings. Depending on the seriousness of her injuries, the case was brought before the municipal or the provincial courts. The woman could also appeal the local court's decision before the Supreme Court.

26. The Prevention and Social Welfare Commissions were another government mechanism to which women could have recourse in cases of discrimination. It was also a common practice for the population at large to have recourse to the complaints and claims offices that existed in the various branches of people's power. While the Federation of Cuban Women was not a government agency, it provided similar services through its offices, to which women had recourse on a daily basis.

27. Her country's authorities would study the matter of incorporating statistics on complaints brought by women on grounds of discrimination, and on the action taken, in its system of information on that issue.

Article 4

28. No temporary measures had been taken to ensure women's participation in decision-making posts, but there was a sustained strategy for maintaining and increasing the advances made by women in the area of decision-making. That was reflected in the Government's consciousness-raising and educational activities on social issues and in the action undertaken jointly with the Federation of Cuban Women to address that issue.

Article 5

29. Despite the positive changes that had occurred in the legal and de facto situation of Cuban women, slower progress had been made in changing the socio-cultural attitudes of men and women. Measures taken by the Government to eliminate gender stereotypes included: incorporating women in all levels of the educational system, thereby providing them with equal cultural opportunities and opportunities for changing stereotypes themselves; adopting new approaches to educational curricula, introducing mixed schools and promoting non-sexist patterns in the distribution of school tasks; and complementing the educational system with "schools for parents" designed to avoid conflicts between the messages given in school and in the family in terms of "sexist" or "non-sexist" patterns.

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30. The Ministry of Education and the Federation of Cuban Women were implementing a joint programme, linking home, community and school, through the movement of mothers and fathers for education. Mass organizations promoted public debate of draft laws containing articles on women and family relations. Regular meetings of working women were held in different branches of the economy, in coordination with women's organizations, to help eliminate stereotypes and advance the status of women in each sector. A joint programme of the Ministry of Public Health and the Federation of Cuban Women on responsible motherhood and fatherhood had been launched throughout the country.

31. The Government also supported the activities of governmental and non-governmental organizations within communities, labour collectives and professional associations to promote a debate on issues related to the role of women in society, women's self-esteem and the need to achieve a democratic distribution of housework. The messages given out by the mass media concerning gender roles were strictly monitored and publicity spots were broadcast that stressed equality, cooperation in the home and equal treatment of boys and girls.

32. At the initiative and under the guidance of the Federation of Cuban Women, various women's departments in the country's higher education centres were providing technical assistance on issues of gender equality, with special emphasis on the need to eliminate stereotypes.

33. Notwithstanding the existence of the legal principle of equality and non-discrimination, the problem of domestic violence had not been completely eliminated. Nevertheless, because Cuban women had a high level of self-esteem and also because Cuban society had traditionally rejected such violence, the incidence of domestic violence was lower than in other countries. Domestic violence was not considered a "social phenomenon" in Cuba because it was relatively rare. Although such violence was subject to severe penalties, there was no specific classification of all the attitudes and acts that could constitute violence against women. However, acts of violence, such as causing a miscarriage through violence or causing grievous bodily harm or other injuries requiring medical treatment, were covered under the Penal Code. Threats and coercion were punishable by terms of imprisonment ranging from six months to several years.

34. Under the law, women could seek redress for any violence committed against them. They could obtain the services of lawyers and notaries at little cost and could obtain certification of injuries from family doctors, polyclinics or hospitals. Such certification was sent automatically to police investigators. If women were unaware of their rights, they could seek guidance from government institutions, professional associations or the Women and Family Counselling Centres established by the Federation of Cuban Women. In that connection, the Federation of Cuban Women called on groups of professionals and specialists to impart information to the public on the various forms of violence, the need to prevent it, and ways of tackling it legally, psychologically and educationally.

Article 6

35. The triumph of the Revolution in 1959 had eliminated the economic and social conditions that spawned and sustained prostitution. Schools and vocational centres had been established to help accelerate the social reintegration of prostitutes. Unfortunately, there had recently been a resurgence of prostitution, mainly as a result of the rapid development of tourism. The Government had given priority to the development of tourism following the tightening of the United States blockade and the collapse of the Socialist bloc, in order to attract the hard currency that was vital to preserving the country's social gains.

36. Recent prostitution had developed not as a survival strategy but basically from the desire to obtain goods and services which could only be purchased with freely convertible currencies and which the Cuban State could not guarantee for all the population. Such goods and services were not essential for a person to be able to live decently in Cuba. The massive influx of tourists, and the country's inexperience in dealing with the consequences, was taxing the Government's resources. Most of the new prostitutes were young and, like the majority of Cubans, well educated and in good health. That made it all the more difficult to re-educate them. Although such prostitution was on a small scale and concentrated in tourists areas, the Government and non-governmental organizations were trying hard to combat its causes and to develop ways of dealing with it. The approach taken was not to tolerate prostitution but to combat it through guidance and persuasion. In the long term, Cuba's economic recovery should be a significant deterrent to prostitution.

37. Efforts to combat prostitution were carried out by the National Prevention and Social Welfare Commission, established in 1986 and consisting of State institutions and political and mass organizations; by the Federation of Cuban Women which worked with individual prostitutes and their families at the local level; and by the National Centre for Sex Education, which provided guidance on the risks of prostitution and related phenomena; and through the training in the prevention of prostitution given to the administrative and service staff of tourist facilities. Tourist promotion bodies were not allowed to suggest any link between tourism and sexual pleasure in Cuba. Prostitutes who became involved in theft, anti-social conduct, extortion, or, in rare cases, drug trafficking, were prosecuted under the Penal Code; the penalties included an official warning, monitoring by the police, and re-education in a specialized study or work institution or labour collective. Her Government was aware of the need to monitor the development of prostitution and, if necessary, to adopt new measures or strengthen existing ones.

Article 7

38. Periodic assessments of the advancement of women were made in order to identify the difficulties which persisted and to work on the factors that were hindering greater participation by women in the decision-making process. Systematic publicity was carried in the information media to promote a favourable image of women managers and to help change stereotypes. A decree law regulating the promotion, placement and evaluation of State employees made provision for the training and refresher training of women and their promotion

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to decision-making posts. Nevertheless, men still predominated on the rosters for State managerial positions, even though there were many women with the necessary experience and qualifications. The National Assembly encouraged periodic meetings of women delegates and deputies, and seminars, workshops and other activities were organized for women leaders. The President himself was the main advocate for the advancement of women.

39. Statistical data had been requested on the gradual increase in the percentage of women in managerial positions referred to in paragraph 25 of the report. The proportion of women members of the Council of State had increased from 13.8 per cent to 16.1 per cent. In organs of the central State administration, the proportion of women had grown from 12.2 per cent in the early 1980s to 24.5 per cent in the current decade. The number of vice-ministers had increased to 17. In the legal system, women occupied 34.6 per cent of managerial posts, and 55.4 per cent of prosecutors, 43.8 per cent of professional judges and 47 per cent of the members of the Supreme Court were women. In the foreign service, there had been an increase in the number of women in the highest-ranking posts; there were currently 8 women ambassadors, 7 counsellors and 5 consular officials.

40. The reasons for women's lower rates of participation in local organizations was that when officials were elected by direct vote of the population, beliefs, prejudices and cultural patterns inherited from a class-conscious and sexist society came into play; a large proportion of the population still believed that only men should hold elective office because they had more time, fewer personal constraints and a greater aptitude for leadership, while women had exclusive responsibility for child-rearing and housework. However, the number of women candidates increased at a higher level of government.

41. The procedure for the election of the President of the Federation of Cuban Women took place at the congress of the Federation, held every five years. The executive body, consisting of a President and a national secretariat, was elected by direct secret ballot of delegates to the congress. Only 30 per cent of delegates to the congress were professional staff of the Federation; the vast majority were women prominent in various spheres of economic, political and social life and active in grass-roots organizations.

42. On the question of whether there were non-governmental organizations that opposed the Government's policy on women, her Government believed that the requirement that women should be ensured the right to participate in non-governmental organizations and associations did not necessarily mean that those organizations had to be anti-governmental or opposed to government policy. After the Cuban Revolution, many progressive organizations of women, students, peasants, workers, professionals and intellectuals had formed voluntarily and had become powerful forces for economic, political and social change. A new civil society had thus been formed with the broad participation of the masses. The Federation of Cuban Women had been established at the request of women who wished to participate in a process which, for the first time, allowed them to envisage a new life. In Cuba, there was an appropriate legal framework for persons of similar interests to form associations, provided that their objective was in the social interest, as stipulated in article 54 of the Constitution and Law No. 54, the Associations Act. Cuban women, more than 3.7 million of whom

were members of the Federation of Cuban Women, had sufficient guarantees of their right of association and, depending on their wishes and their professional, political and religious interests, could join a wide spectrum of organizations. They were also ensured equal access with men to Cuba's non-governmental organizations, which numbered over 2,000. On many occasions, legislative initiatives of the National Assembly or the Council of State had originated in proposals made by Cuban mass organizations. At its recent sixth congress, the Federation of Cuban Women had made hundreds of recommendations which would be implemented by ministries and institutions of the Government. Strengthening civil society and ensuring a plurality of opinion on the basis of a platform which did not undermine national unity was the best guarantee of Cuba's independence.

Article 11

43. With regard to women's percentage representation in production sectors, under the law, Cuban women could not be discriminated against in respect of employment and could join the labour force without restriction. Women had free access to all sectors of the economy and enjoyed the same opportunities as men at all levels of education and in all fields of the economy, science and culture. Women represented 40.6 per cent of the labour force and 30.8 per cent of workers in the productive spheres; it should be borne in mind that women had joined the labour force much later than men and that there were many non-traditional activities in which women were only gradually increasing their presence.

44. On the question of whether any research had been conducted on differences in remuneration, article 42 of the Constitution was the legal norm which provided for equality of opportunity in employment, including the right to equal pay for equal work. However, women were represented in greater numbers in the non-productive sphere, where wages were naturally lower. Nevertheless, 63 per cent of technicians and professionals were women, and they received high salaries. No research had been carried out on any differences which might exist in the average wages of men and women within the same sector; however, the question had been raised, and would continue to be analysed by the Government.

45. With regard to the percentage of women who were unemployed, the Government was constantly monitoring the impact on employment of the current process of economic change and was according priority to determining the real availability of the labour force and the characteristics of labour supply and demand with a view to the rationalization and redistribution of the labour force. With the adoption of measures for economic recovery, some manning tables were being cut, but there were some sectors where more workers were needed and some types of work which were not attractive to the population, such as agriculture and other necessary services. The rate of unemployment was likely to change, especially considering the high level of qualifications of both men and women. There was currently an increase in the number of self-employed persons, and self-employment was particularly significant as a viable option for women.

Article 12

46. Access to health services was ensured for the entire population, free of charge. Particular attention was paid to maternal and child health. Between 1985 and 1984, there had been a decline in the number of stillborn babies born to girls in the 15 to 19 age group. However, that age group had never had the highest fertility rate; the 20-24 and 25-29 age groups had always had the highest birth rates, and there had been a steady decline in stillbirths among mothers in that age group between 1985 and 1994. The maternal mortality rate for girls between 15 and 19 years of age was 29.1 per 100,000 live births, one of the lowest rates in Latin America and the Caribbean. The rate had declined because of educational and preventive work carried out by the State and by mass organizations. Despite the blockade and current difficulties, the decline in infant mortality had continued; in 1995, the rate had fallen to 9.4 per 1,000 live births.

47. On the question of maternal mortality resulting from abortion, she said that national surveys had shown that only 39 per cent of the abortion deaths reported resulted from abortion as such and that the remainder resulted from complications of ectopic pregnancy and hydatidiform moles. It should be noted that in Cuba, where abortion was legal, detailed statistics were kept, whereas in other countries where abortion was illegal there was considerable underreporting. Table 5 in the addendum to the report showed that deaths from abortion had declined by 9.2 per 100,000 between 1980 and 1994 and that abortion was not the main cause of maternal mortality, but took third place after other complications and puerperal complications.

Article 14

48. She referred the Committee to paragraphs 161 to 163 of the addendum to the report for information on the collective ownership of agricultural property. Since 1959, women had been subjects at law who were entitled to own land on the same conditions as men. The Constitution specified that land belonging to small-scale farmers could be inherited only by those who had personally worked it, with a few exceptions of which several applied to women.

49. The problem of discrimination against women who did unpaid farm work was a complex one which was limited in scope and difficult to solve. It affected only very small-scale farming, where private ownership still existed. The women in question were family members of the male or female owner of the land, and it was traditional for them to provide unpaid agricultural labour. There was a seasonal demand for the work of other local women, who were in fact paid according to their output. The Family Code stressed the economic value of all work done by women, and the Federation of Cuban Women and the National Association of Small-scale Farmers, together with rural women, had emphasized the injustice of that situation and the need for recognition and compensation of women's participation in the rural economy. However, it was currently impossible to correct the situation through governmental regulation or to assert that the practice discriminated against women, since male family members often worked under similar conditions. With the Revolution and the promotion of agrarian reform, many women had become landowners, and their numbers had gradually increased as other women inherited land from their fathers or

husbands. Currently, 9 per cent of individual landowners were women, and women accounted for 18 per cent of the members of the Farming and Livestock Production Cooperatives, 13.6 per cent of the members of the Basic Units of Cooperative Production and 26.7 per cent of the membership of the State agricultural sector. Although progress in that area had been modest, the situation of rural women continued to be a Government priority and government policies in general had had a favourable impact on the standard of living and attitudes of such women.

50. With regard to the right of rural landowners to credit and bank loans, Cuban law made no distinction between men and women. She referred the Committee to paragraphs 176 to 182 of the addendum to the report.

Article 16

51. The Convention stated that the betrothal and the marriage of a child had no legal effect and that all necessary action should be taken to specify a minimum age for marriage. The Committee had expressed concern at the fact that in Cuba, the minimum age for marriage was 14 for women and 16 for men, which was contrary to the provisions of the Convention on the Rights of the Child. The term "child" was commonly interpreted as referring to anyone who had not attained his or her majority. However, Cuba's interpretation of "minor" made a distinction between early childhood and adolescence, a distinction that was reflected in the legal system. Thus, Cubans gained the right to vote at age 16, the right to work at age 17 and attained their majority at age 18. Except in exceptional circumstances, 18 was also the minimum legal age for marriage. Girls could obtain permission to marry from the age of 14 and boys from 16, only when there was good reason. That was not discrimination, but was intended as a means of protecting young girls in rural areas where, traditionally, marriage and cohabitation at puberty had been common. As education and socio-economic progress overcame those traditions, under-age marriage was disappearing and it would soon be unnecessary to legislate on it. She recalled that, when Cuba had ratified the Convention on the Rights of the Child, it had made a declaration with regard to article 1 to the effect that, in Cuba, 18 years of age did not constitute legal majority for all civil acts under current domestic legislation. Its marriage laws did not, therefore, conflict with Cuba's ratification of that Convention.

52. The CHAIRPERSON conveyed the Committee's deep solidarity with the women of Cuba, as it had done in the case of countries suffering from sanctions imposed by the Security Council. It was clear that the economic embargo had not produced the expected political results but had, instead, resulted in extreme deprivation for the people of Cuba, especially women and children. Given that difficult economic situation, she admired Cuba's achievements in the area of gender equality, particularly with regard to health and education; such progress was all the more surprising for a country which belonged to a region where the female illiteracy rate was high and where women's human rights with regard to health care were often not respected.

53. She regretted that Cuba had not followed the Committee's guidelines in preparing its report, even though its exhaustive replies to the questions put by the Committee had given a better picture of the country's current situation. She appreciated the fact that the Government was implementing the outcomes of

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the Cairo and Beijing Conferences and noted Cuba's strict compliance with human rights instruments, although the report seemed to place no particular emphasis on the Convention on the Elimination of All Forms of Discrimination against Women. However, it was not clear to her how the Federation of Cuban Women, with a membership of over 3 million, could serve as the national machinery for dealing with women's issues.

54. While the report's discussion of prostitution was extremely frank, she did not understand why the phenomenon was spreading so widely. It seemed to her that women who had access to real power and a high level of self-esteem would not turn to prostitution, even in difficult economic situations, and she felt that more attention should be devoted to preventing the spread of that practice.

55. Ms. ABAKA recalled that in September 1995, the Cuban National Assembly had approved a relaxation of restrictions on foreign investment, which had amounted to quasi-privatization. While the affordability of education had not been affected by that policy, she wondered whether there would be consequences for sanitation, including rural water supply, and for health care and housing. She hoped that privatization would not alter the level of State responsibility for social services and that Cubans would continue to enjoy their current standard of living.

56. Cuba was a multiracial society and she was convinced that racial discrimination was not, in fact, a problem there. However, she noted that the composition of the Cuban delegation to the Committee did not reflect that multiracial character, nor had it at the time of the initial report. She wondered whether certain stereotypical roles were assigned to the different races and whether Cubans of all racial groups had been involved in the preparation of the report.

57. Ms. SATO noted that the Cuban Government had entered a reservation to article 29 of the Convention and wondered whether that reservation might be withdrawn in the near future. She asked why, as stated in paragraph 4 of the addendum to the report, the population of Cuba comprised slightly more men than women, whereas the reverse was true in most other countries.

58. Ms. LIN Shaqzhen said that Cuba's record over the past 30 years in the fields of health and education was outstanding for Latin America and comparable with that of many developed countries. However, she shared the concern expressed by Ms. Sato with regard to the population statistics.

59. Ms. OUEDRAOGO said that the report provided little information on social minorities. The socio-political situation seemed similar to that of her own country, Burkina Faso, where the revolution of 1983 had ushered in great social progress and increased opportunities for women, but had also led to a reduction in individual freedoms which had implications of social equality. Moreover, revolutionary governments frequently gave little decision-making power to women who were not politically active, and she wondered whether that was the case in Cuba. She was also concerned that the transition to privatization might result in underrepresentation of women in the elite managerial sector, and asked what the national machinery was doing to improve women's chances of entering that sector.

60. Ms. ESTRADA CASTILLO said that she deplored the existence of an ongoing state of war in Cuba. She requested further information on the relationship between equality under the Constitution and de facto discrimination and, given Cuba's great progress in the fields of health, education and labour over the past 30 years, wondered why gender-based discrimination persisted, why it was greater in some sectors of the economy than others, and what the Government was doing to combat gender stereotypes. She hoped that, despite the difficult economic situation, it would be possible to reinstate programmes to combat gender discrimination through television and the education of children. Lastly, she asked how men and women spent their leisure time, since it was clear that household tasks in Cuba were not divided equally between men and women.

The meeting rose at 1 p.m.



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against Women**

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Fifteenth session

SUMMARY RECORD OF THE 295th MEETING

Held at Headquarters, New York,
on Monday, 22 January 1996, at 3 p.m.

Chairperson: Ms. CORTI

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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE
CONVENTION (continued)

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The meeting was called to order at 3.20 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE
CONVENTION (continued)

Second and third periodic reports of Cuba (continued) (CEDAW/C/CUB/2-3 and
Add.1)

1. At the invitation of the Chairperson, Ms. Ferrer Gomez (Cuba) took a place at the Committee table.
2. Ms. AOULI said that the recession in Cuba, exacerbated by the trade embargo, had led to an increase in social ills. The embargo had created difficult conditions for women and children. Cuba had, however, done much to secure recognition of the right to development. Economic growth and development were closely linked to the advancement of women.
3. She noted that infringement of the right to equality was a crime in Cuba, and asked how many women had taken advantage of the relevant provisions. In that connection the report made no mention of violence against women.
4. Noting that the Federation of Cuban Women was the only non-governmental organization representing women's interests, she said that it could not possibly deal with all the issues. If there were a larger number of non-governmental organizations, they would be able to help women in specific areas, including prostitution, which was becoming a major concern in Cuba. While much progress had been made in terms of political representation and decision-making, real political power still lay with men, an issue that should be addressed.

Article 2

5. Ms. GARCIA-PRINCE asked how many women had initiated legal proceedings or filed complaints in respect of violations of the provisions of the Convention and whether judges received any special training to deal with such matters.

Article 3

6. Ms. SCHÖPP-SCHILLING, noting that structural adjustment policies generally worked to the detriment of women, said that she would welcome statistics on the impact of such measures on women in Cuba. The concept of a non-governmental organization serving as the national machinery for promoting women raised the question of how it actually operated and how the Federation of Cuban Women ensured that its recommendations were implemented by the Government.

Articles 5 and 6

7. Ms. AYKOR asked whether the Federation of Cuban Women was a policy-making or policy-implementing body. The report indicated that social attitudes in Cuba were deeply rooted, which generally meant that women were treated as a secondary class. Accordingly it would be of interest to know whether the Ministry of Education and the Federation of Cuban Women were working to eradicate

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traditional attitudes and stereotypes by revising books and other material used in schools, as had been done in Turkey.

8. Ms. BUSTELLO GARCIA DEL REAL expressed her solidarity with the people of Cuba in the face of the trade embargo. The improvement in the gross domestic product revealed by the latest economic statistics suggested that the situation of women would ease in the future.

9. While much had been done in Cuba to combat stereotypes, there was a need for more data on, for example, violence against women, so as to understand the real situation and facilitate action. It appeared that efforts thus far had focused on changing the attitudes of women rather than those of men; that approach required revision. The suggestion that domestic violence did not exist in Cuba was surprising. More information was needed to determine whether that was, in fact, the case and, if not, how it could be combated.

10. With regard to sexually oriented violence, she wished to know whether victims of sexual assault must bring charges themselves or whether prosecution was initiated automatically.

11. The report seemed to suggest that prostitution was a phenomenon linked to tourism; it would, however, be helpful to have more details on the subject - who was involved in the practice, both men and women, and how such individuals were dealt with. She asked whether any programmes were being implemented to prevent AIDS among those engaged in prostitution, in particular, minors.

12. There had been suggestions that women had been persecuted for engaging in trade union activities, given which she asked how trade unions were organized and what degree of participation by women there was.

13. Ms. SCHÖPP-SCHILLING said that it was impossible to believe that there was no domestic violence in Cuba. A similar claim had been made in the former German Democratic Republic, but it had become apparent after reunification that that was untrue. The issue related to a patriarchal structure and not to any economic system. The Cuban authorities should address what was a painful issue for any society.

Article 7

14. Ms. GARCIA-PRINCE asked how the Federation of Cuban Women, as a political organization, could influence policy-making and ensure that women's concerns were articulated in public policy, and what its relationship was with the judicial authorities. She also wished to know how many non-governmental organizations in Cuba included women and how many were not affiliated with the Federation.

15. Ms. SCHÖPP-SCHILLING said that the level of political representation of women was deplorable, and asked whether the Federation was guaranteed seats on political bodies and, if so, how many.

Article 10

16. Ms. OUEDRAOGO said that gains had been made in the area of education and that school enrolment rates were satisfactory. Women were entering careers that had traditionally been followed by men. She requested more information - particularly regarding course content - on the occupational training centres for women who had not completed school. With respect to literacy campaigns, she said that revolutionary regimes tended to stress ideological rather than functional literacy, which was what women really needed. More information would be welcome.

17. Ms. SCHÖPP-SCHILLING said that the number of women in non-traditional disciplines was surprising, and asked how Cuba had engineered that state of affairs. She also wondered whether jobs in areas that attracted women tended to be lower paid than in other areas.

Article 11

18. Ms. MAKINEN said that she would welcome more up-to-date unemployment statistics and information on whether the levels were the same for women and men. She wondered whether the eight-month Government-mandated maternity leave for mothers could be shared with the father. It would also be interesting to learn whether more women than men had part-time employment in Cuba, as was the case in many countries. The statement that women received the same salary for the same work called for clarification in the light of article 11, which called for equal treatment in respect of work of equal value.

19. Ms. SCHÖPP-SCHILLING inquired whether men and women who were self-employed entrepreneurs were protected by social security. She would also like to receive detailed gender-disaggregated unemployment statistics covering the redistribution of newly created jobs among men and women and whether more women than men had lost jobs.

20. While she agreed that women were not directly discriminated against in respect of employment, she would like to see a discussion, in future reports, of how the Government and the Federation of Cuban Women understood the concept of indirect discrimination; for example, whether pay was lower in employment sectors with a high concentration of women.

Article 12

21. Ms. LIN Shangzhen asked whether any educational campaigns had been undertaken to prevent teenage pregnancies and what role the mass media was playing in efforts to eliminate the tradition of machismo.

22. Ms. OUEDRAOGO said that she would welcome further analysis of the reasons for the apparent wide fluctuations in abortion rates from year to year.

Articles 14 and 16

23. Ms. BARE drew attention to paragraph 173 of CEDAW/C/CUB/2-3/Add.1, pointing out that to regard women's work as one further domestic chore was, in effect,

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discrimination. Moreover, paragraph 178 appeared to imply that women had access to credit only through their husbands.

24. Turning to article 16, she wondered whether efforts to raise awareness had resulted in any positive change in equalizing social relations at the household level.

25. Ms. FERRER GOMEZ (Cuba), replying to questions posed by Committee members, said that the Federation of Cuban Women had been founded by the women of Cuba themselves, and, for 35 years, it had provided effective representation for its 3.5 million members. It differed somewhat from women's organizations in other socialist countries in that it had a grass-roots base. There were over 74,000 local groups and they carried out activities at the local level in response to local conditions and needs. Its leadership was democratically elected, from the grass-roots level all the way to its national structure. The organization provided an ongoing evaluation of the status of women in Cuba. Any woman who wished to do so could join: its policies covered workers, peasants, housewives and youth, to name but a few. The Federation's funds came from membership dues.

26. At the municipal level, the Federation of Cuban Women held regular meetings with government, party and legislative officials. The organization did not take administrative decisions, but its advice and opinions carried much weight and many of its proposals had been carried out. It examined legislation touching all sectors of society from a woman's viewpoint, and could propose amendments to such laws as well as propose original legislation.

27. With regard to Cuba's reservation in respect of article 29 of the Convention, which called for the settlement of disputes by international arbitration through the International Court of Justice, she said that the Government of Cuba preferred to resolve such matters through dialogue.

28. Referring to the legislative measures applied to the crime of rape, she said that the Criminal Code applied different penalties according to the circumstances of the crime. If force or intimidation was used, the victim was mentally incapacitated or unable to understand the consequences of her actions, or unable to resist, sentences ranged from 4 to 10 years' imprisonment. If the crime was perpetrated by two or more persons, or if the perpetrator was a repeat offender, the penalty was 7 to 15 years. If the victim was under 12 years of age or was severely injured, the sentence ranged from 8 to 20 years; the death penalty could also be imposed in such cases. Victims were required to file a complaint in person, whatever their age.

29. She had not meant to imply that domestic violence did not exist in Cuba, merely that it was not as serious a problem as in some other countries. There was no tradition of domestic violence in Cuba, and it was not generally condoned by society. Where it did occur, however, steps were being taken to remedy the problem.

30. In conclusion, she conveyed the gratitude of her Government for the solidarity expressed by Committee members with regard to the United States blockade.